

THE
JOURNAL OF THE ASSEMBLY,

DURING

THE FIFTEENTH SESSION

OF THE

Legislature of the State of California,

1863-4,

BEGAN ON MONDAY, THE SEVENTH DAY OF DECEMBER, EIGHTEEN HUNDRED AND SIXTY-THREE, AND ENDED ON MONDAY, THE FOURTH DAY OF APRIL, EIGHTEEN HUNDRED AND SIXTY-FOUR.



SACRAMENTO :

O. M. CLAYES, STATE PRINTER.

—
1864.

BOUND BY F. FOSTER.....SACRAMENTO.

JOURNAL
OF THE
PROCEEDINGS OF THE ASSEMBLY.

CALIFORNIA LEGISLATURE---ASSEMBLY.

FIFTEENTH SESSION.

HOUSE OF ASSEMBLY,
Monday, December 7th, 1863. }

Pursuant to the requirements of law, the House was called to order at twelve o'clock, m., by William N. Slocum, Esq., the Assistant Clerk of the last session, the Chief Clerk, H. G. Worthington, Esq., being absent.

The roll of counties was called, when the following gentlemen appeared, were duly qualified, (the oath being administered by the Hon. A. A. H. Tuttle, Secretary of State,) and took their seats as members of the Assembly:

Alameda—Thomas Scott, Asa Walker.

Amador—A. C. Brown, W. R. Ludlow.

Butte—George Sumner, A. C. Buffum.

Calaveras—S. N. Parker, L. Langdon, B. Dyer.

Contra Costa—T. G. Wright.

Colusa and Tehama—S. Jenison.

Del Norte and Klamath—R. P. Hirst.

El Dorado—T. Fraser, P. Teare, F. A. Dow, J. S. Campbell.

Fresno—I. N. Walker.

Humboldt—A. Wiley.

Lake and Napa—W. B. H. Dodson.

Marin—S. Johnson.

Mariposa—J. W. Wilcox.

Mendocino—L. Wilsey.

Merced and Stanislaus—W. L. Dickinson.

Mono and Tuolumne—Frederick Lux, O. Perrin.

Monterey—Estevan Castro

Nevada—W. H. Sears, J. W. Rule, S. Martin, A. A. Smith.

Placer—M. C. Winchester, J. D. Pratt, E. H. Snyder.

Plumas—R. A. Clark

Sacramento—Francis Tukey, J. P. Rhoads, W. B. Hunt, Alexander Badlam, Jr., J. R. Watson.

San Francisco—George J. Brooks, James Bowman, C. F. Mebius, Charles Clayton, Nathaniel Gray, John Lynch, J. S. Hittell, Henry Dutton, T. W. McColliam, Thompson Campbell, Joseph Wood, J. W. Cherry.

San Joaquin—E. H. Allen, J. E. Perley.

Santa Clara—J. J. Owen, W. Erkson, H. D. Van Schaick.

Sonoma—O. H. Hoag, M. Whallon, J. Smith.

Siskiyou—R. C. Scott, S. L. Littlefield.

Sierra—R. S. Weston, S. H. Alley.

San Bernardino—A. Van Leuven.

San Diego—J. J. Kendrick.

San Luis Obispo and Santa Barbara—Ramon J. Hill.

Santa Cruz—Alfred Devoe.

Shasta—J. N. Chappell.

San Mateo—A. F. Green.

Solano—Milton Wason.

Sutter—M. Boulware.

Trinity—M. W. Personette.

Tulare—J. C. Brown.

Yolo—J. B. Hartsough.

Yuba—O. F. Redfield, L. Hubbard, J. H. Beaman.

RESOLUTIONS.

Mr. Wright offered the following resolution :

Resolved, That the House now proceed to the election of permanent officers, in the following order :

1. Speaker ;
2. Speaker pro tem ;
3. Chief Clerk ;
4. Assistant Clerk ;
5. Minute Clerk ;
6. Journal Clerk ;
7. Two Copying Clerks ;
8. Engrossing Clerk ;
9. Enrolling Clerk ;
10. Sergeant-at-Arms ;
11. Assistant Sergeant-at-Arms ;
12. Watchman.

Mr. Martin offered the following substitute :

ORDER OF BUSINESS

1. Speaker of the House ;
2. Speaker pro tem ;
3. Clerk ;
4. Assistant Clerk ;
5. Minute Clerk ;
6. Sergeant-at-Arms ;

- 7 Assistant Sergeant-at-Arms;
- 8 Enrolling Clerk;
- 9. Engrossing Clerk;
- 10. Journal Clerk;
- 11. Two Copying Clerks;

Mr Rule moved to amend the substitute by striking out all after "Clerk."

Lost.

The substitute offered by Mr. Martin was then adopted

Mr Wiley offered the following resolution :

Resolved, That the Standing Rules of the last session be and they are hereby declared the rules by which this House shall be governed, until the House may deem proper to change them.

Adopted.

ELECTION OF OFFICERS.

The House then proceeded to elect a Speaker and other officers.

FOR SPEAKER.

Mr. Boulware nominated William H. Sears, of Nevada.

Mr. Hoag nominated Murray Whallon, of Sonoma.

The vote was then taken, as follows :

| Names. | Sears. | Whallon. |
|---------------------------------|--------|----------|
| Allen | 1 | ..... |
| Alley | 1 | ..... |
| Badlam | 1 | ..... |
| Beaman | 1 | ..... |
| Bowman | 1 | ..... |
| Boulware | 1 | ..... |
| Brooks | 1 | ..... |
| Brown of Amador | 1 | ..... |
| Brown of Tulare ..... | ..... | 1 |
| Buffum | 1 | ..... |
| Campbell of El Dorado | 1 | ..... |
| Campbell of San Francisco | 1 | ..... |
| Castro | 1 | ..... |
| Chappell | 1 | ..... |
| Cherry | 1 | ..... |
| Clayton | 1 | ..... |
| Devoe | 1 | ..... |
| Dickinson ..... | ..... | 1 |
| Dodson | 1 | ..... |
| Dow | 1 | ..... |
| Dutton | 1 | ..... |
| Dyer | 1 | ..... |
| Erkson | 1 | ..... |
| Fraser | 1 | ..... |

| Names | Sears. | Whallon. |
|-------------------------|--------|----------|
| Gray | 1 | ..... |
| Green | 1 | ..... |
| Hill..... | 1 | ..... |
| Hittell..... | 1 | ..... |
| Hoag ..... | ..... | 1 |
| Hunt | 1 | ..... |
| Hirst..... | 1 | ..... |
| Jenison..... | 1 | ..... |
| Johnson | 1 | ..... |
| Kendrick..... | ..... | 1 |
| Langdon..... | 1 | ..... |
| Littlefield..... | 1 | ..... |
| Ludlow | 1 | ..... |
| Lux..... | 1 | ..... |
| Martin..... | 1 | ..... |
| McColliam | 1 | ..... |
| Owen | 1 | ..... |
| Parker | 1 | ..... |
| Perley | 1 | ..... |
| Perrin | 1 | ..... |
| Personette..... | 1 | ..... |
| Pratt..... | 1 | ..... |
| Redfield..... | 1 | ..... |
| Rhoads | 1 | ..... |
| Rule | 1 | ..... |
| Scott of Alameda | 1 | ..... |
| Scott of Siskiyou | 1 | ..... |
| Smith of Nevada..... | 1 | ..... |
| Smith of Sonoma.. .. | ..... | 1 |
| Snyder | 1 | ..... |
| Sumner..... | 1 | ..... |
| Teare..... | 1 | ..... |
| Tukey..... | 1 | ..... |
| Van Leuven..... | 1 | ..... |
| Van Schaick | 1 | ..... |
| Walker of Alameda..... | 1 | ..... |
| Walker of Fresno..... | ..... | 1 |
| Wason | 1 | ..... |
| Watson | 1 | ..... |
| Weston..... | 1 | ..... |
| Wilcox | 1 | ..... |
| Wiley.. .. | 1 | ..... |
| Wilsey..... | 1 | ..... |
| Winchester..... | 1 | ..... |
| Wood..... | 1 | ..... |
| Wright..... | 1 | ..... |
| Totals..... | 64 | 6 |

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 70 |
| Necessary to a choice..... | 36 |

Mr. Sears having received a majority of all the votes cast, was declared duly elected the Speaker of the Assembly.

On motion, Messrs. Whallon and Cherry were appointed a committee to conduct Mr. Sears to the Chair.

The oath of office having been administered to Mr. Sears, he addressed the Assembly as follows:

ADDRESS OF MR. SEARS.

GENTLEMEN OF THE ASSEMBLY:—Permit me to return to you my sincere acknowledgment for the undeserved honor which you have bestowed upon me in selecting me as your presiding officer. This, I believe, is the most loyal Legislature in the United States, according to its size, and to be chosen to preside over the popular branch of the most loyal Legislature in the Union, is an honor which I fully appreciate. I shall endeavor to conduct the duties of the office in an impartial manner, without fear or favor to any one in particular; but the order and decorum of the House rest more with you than with me, and I trust that every member will aid the Chair in preserving order, thereby assisting in the dispatch of business and shortening the session. You meet for the first time under the new constitutional amendments. Your labors will be somewhat arduous. There are many changes which are necessary. You meet also when peace and prosperity reign upon this side of the continent, while upon the other side a gigantic war is being waged for the preservation of the Government, the successful prosecution of which should be uppermost in our minds, for upon its successful termination depend the liberty and prosperity of thirty millions of people. You were elected by a loyal people, a loyal constituency having confidence in your integrity to act upon public measures as you may deem proper. A few they have specified, and a few you have pledged your honor to support, and one of them is the prosecution of the war and the overthrow of the rebellion. You are pledged also to sustain the proclamation of freedom. It has gone forth as a war measure because the institution of slavery was the vital power which sustained the rebellion, and you are pledged one and all to sustain the proclamation. With it inscribed on our banners, our armies have been blessed with victory; our cannons have been charged with it; it captured Vicksburg and Port Hudson; it opened that great artery of commerce, the Mississippi, and it drove the invader far from Pennsylvania. More than all this, it has sent Greek fire into the very fountain of treason. It has reinstated the old flag over two hundred thousand square miles of territory. And what has been accomplished by those noble patriots in the field, never, never let the Council Chamber destroy. In the language of the Executive, "pledge has been made, and the promise must be kept." It has done more than all this. It has sent a party which was against the Government to an ignoble grave. The Copperhead party of the North was the inlet of this great lake of treason which has inundated our land. As I said before, that party has been sent to an ignoble grave. Aye, and the success of our armies in the South, and the ballot box in the North, has suddenly convinced England and France that it was in accordance with international law to seize the rebel rams in their waters. But England has accomplished a purpose by sending forth the Alabama. She has

crippled our commerce, and the exports and imports for the last quarter in the metropolis of the Nation are now, two thirds of them, under the flags of foreign nations, while our own clipper ships are rotting at the docks. Thus, I say, it is important that all men should love this Government, and stand shoulder to shoulder to crush out this rebellion. If that is done, the day is not far distant when commerce will be safer under the old flag of our fathers than it will be under any other.

I remember reading, in Buckle's History of Civilization, where he speaks of a terrible epidemic, which at one time, in seventeen hundred and sixty, I think it was, prevailed in the city of Madrid. The streets of the city were very filthy, and had been for years, so that this epidemic at length sprung from that filth. A few bold men in the Government, like Sumner, or Chase, or Andy Johnson, for instance, suggested that the streets should be cleaned. Very many were loud in their censure against it; the vulgar, and even the educated, were opposed to it. A committee of Physicians appointed to examine into the matter reported that to remove this filth would be a new experiment, and new experiments were very dangerous; their fathers had been raised in the midst of it, and their fathers were wise men. Even the smell of the filth, which some complained of, the Doctors represented was undoubtedly wholesome. They reported that they were of the opinion matters should remain as they were, and no attempt should be made to purify the city.

Well, now, gentlemen of the Legislature, the filth of slavery has been filling the streets of this Nation since its existence; and the time has arrived—seeing it has terminated in an epidemic which threatens the life of the Nation—the time has arrived when the streets of the Nation should be cleansed; and for my part, I am in favor of cleansing them of the infection of this filthy institution from the very centre beyond the circumference. If you have a poisonous tree in your orchard, to prune the branches will do but little good; it will only strengthen the body; but if you wish to stop the source of the evil you must strike at the root. So it is in this case, you must strike at the root in order to remove this evil. Well, now, I think there is not a Union man in this community, or in the United States, but what will admit that slavery has been the cause of this rebellion; and if it has been the cause, it has sent half a million of noble men to an untimely grave, and cost millions of treasure, and even threatened the very existence of the Nation. Does it not demand removal? I think no one can question, at this late day of the rebellion, but what slavery should be removed. It has not been the work of a day, or a year, but it has been going on for half a century. The education of the Southern people has been changed. Revolutions are always preceded by some change in the natural intellect. The Southern people have become intoxicated from power, and bold in consequence of concessions that were made to them; and when they saw the reins of power departing from their hands they rebelled, because they found that their peculiar institution, which they revered more than the Government, was in danger. It is an unprogressive institution, and a progressive civilized people will never tolerate it when it threatens the existence of the Nation. I consider, therefore, that the institution to-day is dead; and the sooner we all join in burying the carcass, the sooner will we be a free and independent people. Liberty and union must burn together in the true patriot's breast. The rebellion of the South struck the first blow—the Government must strike the last. It is idle to talk about peace; the South will have none except on the condition of independence, and the Government can never accept their offers on any other

terms than an unconditional surrender to the Federal authority. Then, let the war go on; let every man use his utmost endeavors to bring into requisition all of the resources of the Government, regardless of expenses or of color, to prosecute the war. By so doing you will reinstate the old flag over the entire Nation's domain, and in no other way can it be reinstated. Justice and humanity demand this, and the victories of justice are the victories of the whole human family, no matter what quarter of the world they represent. Again, gentlemen, I return you my thanks for the honor conferred upon me. The House will now proceed with its organization.

Mr Teare moved to adjourn.

Lost.

FOR SPEAKER PRO TEM.

Mr. Martin nominated J. J. Owen

Mr. Wiley nominated A. C. Brown.

The vote was then taken, as follows:

| Names. | Owen. | Brown. |
|---------------------------------|-------|--------|
| Allen | 1 | ..... |
| Alley | 1 | ..... |
| Badlam | 1 | ..... |
| Beaman | 1 | ..... |
| Bowman | 1 | ..... |
| Boulware | 1 | ..... |
| Brooks | 1 | ..... |
| Buffum | 1 | ..... |
| Campbell of San Francisco | 1 | ..... |
| Castro | 1 | ..... |
| Chappell ..... | ..... | 1 |
| Cherry | 1 | ..... |
| Clark | 1 | ..... |
| Clayton | 1 | ..... |
| Devoe | 1 | ..... |
| Dodson ..... | ..... | 1 |
| Dow | 1 | ..... |
| Dutton | 1 | ..... |
| Dyer | 1 | ..... |
| Erkson | 1 | ..... |
| Fraser ..... | ..... | 1 |
| Gray | 1 | ..... |
| Green | 1 | ..... |
| Hill ..... | ..... | 1 |
| Hittell | 1 | ..... |
| Hoag ..... | ..... | 1 |
| Hunt ..... | ..... | 1 |
| Hirst ..... | ..... | 1 |
| Jenison | 1 | ..... |
| Johnson | 1 | ..... |
| Langdon ..... | ..... | 1 |
| Littlefield | 1 | ..... |

| Names. | Owen. | Brown. |
|------------------------|-------|--------|
| Ludlow..... | | 1 |
| Lux..... | | 1 |
| Lynch..... | 1 | |
| Martin..... | 1 | |
| McColliam..... | 1 | |
| Mebius..... | 1 | |
| Parker..... | 1 | |
| Perley..... | 1 | |
| Perrin..... | 1 | |
| Personette..... | 1 | |
| Pratt..... | 1 | |
| Redfield..... | 1 | |
| Rhoads..... | | 1 |
| Rule..... | 1 | |
| Scott of Alameda..... | 1 | |
| Scott of Siskiyou..... | | 1 |
| Smith of Nevada..... | 1 | |
| Smith of Sonoma..... | | 1 |
| Snyder..... | 1 | |
| Sumner..... | 1 | |
| Teare..... | | 1 |
| Tukey..... | | 1 |
| Van Leuven..... | 1 | |
| Van Schaick..... | 1 | |
| Walker of Alameda..... | 1 | |
| Walker of Fresno..... | | 1 |
| Wason..... | 1 | |
| Watson..... | 1 | |
| Weston..... | 1 | |
| Wilcox..... | | 1 |
| Wiley..... | | 1 |
| Wilsey..... | | 1 |
| Winchester..... | 1 | |
| Wood..... | 1 | |
| Wright..... | | 1 |
| Totals..... | 47 | 20 |

Whole number of votes cast..... 67
Necessary to a choice..... 34

Mr. Owen, having received a majority of all the votes cast, was declared duly elected Speaker pro tem of the Assembly; whereupon he took the oath of office.

FOR CHIEF CLERK

Mr. Hill nominated O. C. Wheeler.
The vote was then taken as follows:

| Names. | Wheeler. |
|---------------------------------|----------|
| Allen | 1 |
| Alley | 1 |
| Badlam..... | 1 |
| Beaman..... | 1 |
| Bowman..... | 1 |
| Boulware..... | 1 |
| Brooks | 1 |
| Brown of Amador | 1 |
| Brown of Tulare..... | 1 |
| Campbell of El Dorado..... | 1 |
| Campbell of San Francisco | 1 |
| Castro | 1 |
| Chappell | 1 |
| Cherry..... | 1 |
| Clark..... | 1 |
| Clayton..... | 1 |
| Devoe..... | 1 |
| Dodson..... | 1 |
| Dow..... | 1 |
| Dutton | 1 |
| Dyer | 1 |
| Erkson | 1 |
| Fraser | 1 |
| Gray | 1 |
| Green | 1 |
| Hill | 1 |
| Hittell..... | 1 |
| Hunt..... | 1 |
| Hirst | 1 |
| Jenison..... | 1 |
| Johnson | 1 |
| Langdon | 1 |
| Littlefield | 1 |
| Ludlow | 1 |
| Lux | 1 |
| Lynch | 1 |
| Martin..... | 1 |
| McColliam..... | 1 |
| Mebius | 1 |
| Owen..... | 1 |
| Parker | 1 |
| Perley | 1 |
| Perrin | 1 |
| Personette | 1 |
| Redfield | 1 |
| Rhoads..... | 1 |
| Rule..... | 1 |
| Scott of Alameda..... | 1 |
| Scott of Siskiyou..... | 1 |

| Names. | Wheeler. |
|------------------------|----------|
| Smith of Nevada..... | 1 |
| Synder..... | 1 |
| Teare..... | 1 |
| Tukey..... | 1 |
| Van Leuven..... | 1 |
| Van Schaick..... | 1 |
| Walker of Alameda..... | 1 |
| Wason..... | 1 |
| Watson..... | 1 |
| Weston..... | 1 |
| Wilcox..... | 1 |
| Wiley..... | 1 |
| Wilsey..... | 1 |
| Winchester..... | 1 |
| Wood..... | 1 |
| Wright..... | 1 |
| Total..... | 65 |

Mr. Wheeler, having received all the votes cast, was declared duly elected Chief Clerk of the Assembly.

FOR ASSISTANT CLERK

Mr. ——— nominated R. H. Daly.

Mr. Wright nominated W. N. Slocum.

The vote was then taken, with the following result :

| Names. | Daly. | Slocum. |
|--------------------------------|-------|---------|
| Allen..... | 1 | ..... |
| Alley..... | 1 | ..... |
| Badlam..... | 1 | ..... |
| Beaman..... | 1 | ..... |
| Bowman..... | 1 | ..... |
| Boulevard..... | 1 | ..... |
| Brooks..... | 1 | ..... |
| Buffum..... | 1 | ..... |
| Campbell of San Francisco..... | 1 | ..... |
| Castro..... | 1 | ..... |
| Chappell..... | 1 | ..... |
| Cherry..... | 1 | ..... |
| Clark..... | 1 | ..... |
| Clayton..... | 1 | ..... |
| Devoe..... | 1 | ..... |
| Dodson..... | 1 | ..... |
| Dow..... | 1 | ..... |

| Names. | Daly. | Slocum. |
|------------------------|-------|---------|
| Dutton..... | | 1 |
| Dyer..... | 1 | |
| Erkson | 1 | |
| Fraser | | 1 |
| Gray..... | 1 | |
| Green..... | 1 | |
| Hill. | | 1 |
| Hittell..... | | 1 |
| Hirst..... | 1 | |
| Jenison | 1 | |
| Johnson..... | 1 | |
| Langdon | 1 | |
| Littlefield..... | 1 | |
| Ludlow..... | 1 | |
| Lux..... | 1 | |
| Lynch..... | 1 | |
| Martin | 1 | |
| McColliam..... | 1 | |
| Mebius | 1 | |
| Owen..... | | 1 |
| Parker | 1 | |
| Perley. •..... | | 1 |
| Perrin.. | 1 | |
| Personette..... | | 1 |
| Pratt..... | 1 | |
| Redfield..... | | 1 |
| Rule..... | 1 | |
| Scott of Alameda..... | | 1 |
| Scott of Siskiyou..... | 1 | |
| Smith of Nevada | | 1 |
| Snyder | 1 | |
| Sumner..... | 1 | |
| Teare.. | | 1 |
| Van Leuven..... | 1 | |
| Walker of Alameda..... | | 1 |
| Weston..... | 1 | |
| Wilcox..... | 1 | |
| Wilsey..... | 1 | |
| Winchester..... | 1 | |
| Wood..... | 1 | |
| Wright..... | | 1 |
| Totals..... | 45 | 13 |

Whole number of votes cast..... 58

Necessary to a choice..... 30

Mr Daly, having received a majority of the votes cast, was declared duly elected Assistant Clerk of the Assembly.

FOR MINUTE CLERK.

Mr. Lux nominated Martin Rowan
The vote was taken as follows :

| Names. | Rowan. |
|------------------------------|--------|
| Allen..... | 1 |
| Badlam..... | 1 |
| Beaman..... | 1 |
| Bowman..... | 1 |
| Boulware..... | 1 |
| Brooks..... | 1 |
| Brown of Amador..... | 1 |
| Buffum | 1 |
| Campbell of El Dorado..... | 1 |
| Campbell of San Francisco... | 1 |
| Castro..... | 1 |
| Chappell..... | 1 |
| Cherry | 1 |
| Clayton..... | 1 |
| Devoe..... | 1 |
| Dodson..... | 1 |
| Dutton..... | 1 |
| Dyer..... | 1 |
| Erkson..... | 1 |
| Fraser..... | 1 |
| Gray..... | 1 |
| Green..... | 1 |
| Hill..... | 1 |
| Hunt..... | 1 |
| Hirst..... | 1 |
| Jenison..... | 1 |
| Johnson..... | 1 |
| Langdon..... | 1 |
| Littlefield..... | 1 |
| Lux..... | 1 |
| Lynch..... | 1 |
| Martin..... | 1 |
| McColliam..... | 1 |
| Mebius..... | 1 |
| Owen..... | 1 |
| Parker..... | 1 |
| Perley..... | 1 |
| Perrin..... | 1 |
| Personette..... | 1 |
| Pratt..... | 1 |
| Rhoads..... | 1 |
| Rule..... | 1 |
| Scott of Alameda | 1 |
| Smith of Nevada..... | 1 |
| Snyder..... | 1 |
| Sumner..... | 1 |

| Names. | Rowan. |
|------------------------|--------|
| Teare..... | 1 |
| Tukey..... | 1 |
| Walker of Alameda..... | 1 |
| Wason..... | 1 |
| Watson..... | 1 |
| Weston..... | 1 |
| Wilcox..... | 1 |
| Wiley..... | 1 |
| Wilsey..... | 1 |
| Winchester..... | 1 |
| Wood..... | 1 |
| Wright..... | 1 |
| Total..... | 56 |

Mr. Rowan, having received all the votes cast, was declared duly elected.

FOR SERGEANT-AT-ARMS.

Mr. Hittell nominated W. M. Rider.

Mr. Lux nominated L. P. McCarty.

Mr. Tukey nominated A. J. Rhodes.

Mr. Dow nominated T. De Golia.

Mr. Watson moved to adjourn.

Lost.

The House proceeded to ballot for Sergeant-at-Arms, with the following result:

| Names. | De Golia. | Rhodes. | McCarty. | Rider. |
|--------------------------------|-----------|---------|----------|--------|
| Allen..... | | | | 1 |
| Alley..... | | | 1 | |
| Badlam..... | | 1 | | |
| Beaman..... | 1 | | | |
| Bowman..... | | | | 1 |
| Boulware..... | | | 1 | |
| Brooks..... | 1 | | | |
| Brown of Amador..... | | | 1 | |
| Brown of Tulare..... | | | | 1 |
| Buffum..... | | | | 1 |
| Campbell of El Dorado..... | 1 | | | |
| Campbell of San Francisco..... | | | 1 | |
| Castro..... | | | | 1 |
| Chappell..... | | | | 1 |
| Cherry..... | 1 | | | |
| Clark..... | | | | 1 |
| Clayton..... | | | | 1 |
| Devoe..... | 1 | | | |

| Names. | De Golia. | Rhodes. | McCarty. | Rider. |
|------------------------|-----------|---------|----------|--------|
| Dodson..... | | 1 | | |
| Dow..... | 1 | | | |
| Dutton..... | | | | 1 |
| Dyer..... | | | 1 | |
| Erkson..... | 1 | | | |
| Fraser..... | 1 | | | |
| Gray..... | 1 | | | |
| Green..... | | | | 1 |
| Hill..... | | | | 1 |
| Hittell..... | | | | 1 |
| Hunt..... | | 1 | | |
| Hirst..... | 1 | | | |
| Jenison..... | 1 | | | |
| Johnson..... | | 1 | | |
| Langdon..... | 1 | | | |
| Littlefield..... | | | 1 | |
| Ludlow..... | | | 1 | |
| Lux..... | | | 1 | |
| Lynch..... | | | | 1 |
| Martin..... | | | | 1 |
| McColliam..... | 1 | | | |
| Mebius..... | | | | 1 |
| Owen..... | | | 1 | |
| Parker..... | 1 | | | |
| Perley..... | | | 1 | |
| Perrin..... | | | 1 | |
| Personette..... | | | | 1 |
| Pratt..... | 1 | | | |
| Redfield..... | | | | 1 |
| Rhoads..... | | 1 | | |
| Rule..... | | | | 1 |
| Scott of Alameda..... | | | | 1 |
| Scott of Siskiyou..... | | | 1 | |
| Smith of Nevada..... | 1 | | | |
| Smith of Sonoma..... | | | | 1 |
| Snyder..... | 1 | | | |
| Teare..... | 1 | | | |
| Tukey..... | | 1 | | |
| Van Leuven..... | | | | 1 |
| Van Schaick..... | 1 | | | |
| Walker of Alameda..... | | | | 1 |
| Wason..... | | | | 1 |
| Watson..... | | 1 | | |
| Weston..... | | | 1 | |
| Wilcox..... | | 1 | | |
| Wiley..... | 1 | | | |
| Wilsey..... | | | | 1 |
| Winchester..... | | 1 | | |
| Whallon..... | | | | 1 |
| Wood..... | | | | 1 |

| Names. | De Golia. | Rhodes. | McCarty. | Rider. |
|-------------|-----------|---------|----------|--------|
| Wright..... | | | | 1 |
| Totals..... | 20 | 9 | 13 | 27 |

Whole number of votes cast.....69
 Necessary to a choice.....35
 Mr. De Golia received.....20
 Mr. Rhodes received 9
 Mr. McCarty received.....13
 Mr. Rider received.....27

There being no election, the House proceeded to a second ballot, with the following result:

| Names. | De Golia. | Rhodes. | McCarty. | Rider. |
|--------------------------------|-----------|---------|----------|--------|
| Allen | | | | 1 |
| Alley .. | | | 1 | |
| Badlam .. | | 1 | | |
| Beaman | 1 | | | |
| Bowman..... | | | | 1 |
| Boulware | | | | 1 |
| Brooks..... | 1 | | | |
| Brown of Amador | | | 1 | |
| Brown of Tulare..... | | | | 1 |
| Buffum..... | | | | 1 |
| Campbell of El Dorado..... | 1 | | | |
| Campbell of San Francisco..... | | | | 1 |
| Castro..... | | | | 1 |
| Chappell .. | | | | 1 |
| Cherry | 1 | | | |
| Clark | | | | 1 |
| Clayton..... | | | | 1 |
| Devoe .. | 1 | | | |
| Dickinson | | | | 1 |
| Dodson | | 1 | | |
| Dow..... | 1 | | | |
| Dutton..... | | | | 1 |
| Dyer..... | | | 1 | |
| Erkson..... | 1 | | | |
| Fraser | 1 | | | |
| Gray | 1 | | | |
| Green | | | | 1 |
| Hill..... | | | 1 | |
| Hittell..... | | | | 1 |
| Hoag..... | | | | 1 |
| Hunt..... | | 1 | | |
| Hirst..... | 1 | | | |

| Names. | De Golia. | Rhodes. | McCarty. | Rider. |
|-------------------------|-----------|---------|----------|--------|
| Jenison | 1 | | | |
| Johnson | | 1 | | |
| Kendrick | | | | 1 |
| Langdon | 1 | | | |
| Littlefield | 1 | | | |
| Lux | | | 1 | |
| Lynch | | | | 1 |
| Martin | | | | 1 |
| McColliam | 1 | | | |
| Mebius | | | | 1 |
| Owen | | | 1 | |
| Parker | 1 | | | |
| Perley | | | 1 | |
| Perrin | | | 1 | |
| Personette | | | | 1 |
| Pratt | | | 1 | |
| Redfield | | | | 1 |
| Rhoads | | 1 | | |
| Rule | | | | 1 |
| Scott of Alameda | | | | 1 |
| Scott of Siskiyou | 1 | | | |
| Smith of Nevada | 1 | | | |
| Smith of Sonoma | | | | 1 |
| Snyder | | | 1 | |
| Sumner | | | | 1 |
| Teare | 1 | | | |
| Tukey | | 1 | | |
| Van Leuven | | | | 1 |
| Van Schaick | 1 | | | |
| Walker of Alameda | | | | 1 |
| Wason | | | | 1 |
| Watson | | 1 | | |
| Weston | | | 1 | |
| Wilcox | | 1 | | |
| Wiley | 1 | | | |
| Wilsey | | | | 1 |
| Winchester | | | 1 | |
| Whallon | | | | 1 |
| Wood | | | | 1 |
| Wright | | | | 1 |
| Totals | 20 | 8 | 12 | 32 |

Whole number of votes cast..... 72

Necessary to a choice... 37

No one having received a majority, the House proceeded to ballot a third time, with the following result:

| Namcs. | De Golia. | Rhodes. | McCarty. | Rider. |
|---------------------------------|-----------|---------|----------|--------|
| Allen | | | | 1 |
| Alley..... | | | | 1 |
| Beaman | | | | 1 |
| Bowman | | | | 1 |
| Boulware..... | | | | 1 |
| Brooks..... | | | | 1 |
| Brown of Tulare..... | | | | 1 |
| Buffum | | | | 1 |
| Campbell of San Francisco | | | | 1 |
| Castro | | | | 1 |
| Chappell | | | | 1 |
| Cherry..... | | | | 1 |
| Clark | | | | 1 |
| Clayton..... | | | | 1 |
| Devoe..... | 1 | | | |
| Dickinson | | | | 1 |
| Dodson..... | | | 1 | |
| Dow..... | 1 | | | |
| Dutton | | | | 1 |
| Dyer..... | | | 1 | |
| Erkson..... | 1 | | | |
| Fraser..... | 1 | | | |
| Gray..... | 1 | | | |
| Green | | | | 1 |
| Hill | | | | 1 |
| Hittell | | | | 1 |
| Hoag | | | | 1 |
| Hunt | | 1 | | |
| Hirst..... | 1 | | | |
| Jenison..... | | | | 1 |
| Johnson | | | | 1 |
| Kendrick | | | | 1 |
| Langdon..... | | | | 1 |
| Littlefield..... | 1 | | | |
| Ludlow..... | 1 | | | |
| Lux..... | | | 1 | |
| Lynch..... | | | | 1 |
| Martin | 1 | | | |
| McColliam..... | | | | 1 |
| Mebius | | | | 1 |
| Owen | | | | 1 |
| Parker | | | | 1 |
| Perley..... | 1 | | | |
| Perrin | | | 1 | |
| Personette..... | | | | 1 |
| Redfield | | | | 1 |
| Rhoads | | 1 | | |
| •Rule | | | | 1 |
| Scott of Alameda..... | | | | 1 |

| Names. | De Golia | Rhodes. | McCarty. | Rider. |
|-------------------------|----------|---------|----------|--------|
| Scott of Siskiyou | 1 | ..... | ..... | ..... |
| Smith of Nevada..... | 1 | ..... | ..... | ..... |
| Smith of Sonoma..... | ..... | ..... | ..... | 1 |
| Snyder ..... | ..... | ..... | 1 | ..... |
| Sumner ..... | ..... | ..... | ..... | 1 |
| Teare | 1 | ..... | ..... | ..... |
| Tukey..... | ..... | 1 | ..... | ..... |
| Van Leuven ..... | ..... | ..... | ..... | 1 |
| Van Schaick..... | 1 | ..... | ..... | ..... |
| Walker of Alameda ..... | ..... | ..... | ..... | 1 |
| Walker of Fresno ..... | ..... | ..... | ..... | 1 |
| Wason ..... | ..... | ..... | ..... | 1 |
| Watson ..... | ..... | 1 | ..... | ..... |
| Weston ..... | ..... | ..... | ..... | 1 |
| Wilcox..... | ..... | 1 | ..... | ..... |
| Wiley..... | 1 | ..... | ..... | ..... |
| Wilsey..... | ..... | ..... | ..... | 1 |
| Winchester.. ..... | ..... | ..... | 1 | ..... |
| Whallon..... | ..... | ..... | ..... | 1 |
| Wood ..... | ..... | ..... | ..... | 1 |
| Wright ..... | ..... | ..... | ..... | 1 |
| Totals..... | 16 | 5 | 6 | 44 |

Whole number of votes cast..... 71
Necessary to a choice..... 36

Mr. Rider, having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

FOR ASSISTANT SERGEANT-AT-ARMS.

Mr. Owen nominated J. F. Holloway.

Mr. Cherry nominated W. H. Kirby.

Mr. Martin nominated S. B. Brooks

Mr. Dodson nominated C. Howe.

The vote was then taken as follows:

| Names. | Howe. | Holloway. | Kirby | Brooks. |
|----------------|-------|-----------|-------|---------|
| Allen | | | 1 | ..... |
| Alley | | 1 | ..... | ..... |
| Badlam | | 1 | ..... | ..... |
| Beaman | | | | 1 |
| Bowman..... | | | 1 | ..... |
| Boulware | | 1 | ..... | ..... |

| Names. | Howe. | Holloway. | Kirby. | Brooks. |
|--------------------------------|-------|-----------|--------|---------|
| Brooks..... | | 1 | | |
| Brown of Amador..... | 1 | | | |
| Brown of Tulare..... | | | 1 | |
| Buffum..... | | 1 | | |
| Campbell of El Dorado.. | | 1 | | |
| Campbell of San Francisco..... | | | 1 | |
| Castro..... | | | 1 | |
| Chappell..... | | | 1 | |
| Cherry..... | | | 1 | |
| Clark..... | | | 1 | |
| Clayton..... | | 1 | | |
| Devoe..... | | 1 | | |
| Dickinson..... | | | 1 | |
| Dodson..... | 1 | | | |
| Dow..... | | 1 | | |
| Dutton..... | | | 1 | |
| Dyer..... | | 1 | | |
| Erkson..... | | 1 | | |
| Fraser..... | 1 | | | |
| Gray..... | | | 1 | |
| Green..... | | 1 | | |
| Hill..... | | | 1 | |
| Hittell..... | | 1 | | |
| Hirst..... | 1 | | | |
| Jenison..... | | 1 | | |
| Johnson..... | | 1 | | |
| Kendrick..... | | 1 | | |
| Langdon..... | | 1 | | |
| Littlefield..... | | 1 | | |
| Ludlow..... | | | 1 | |
| Lux..... | | | 1 | |
| Lynch..... | | | 1 | |
| Martin..... | | | | 1 |
| McColliam..... | | 1 | | |
| Mebius..... | | | 1 | |
| Owen..... | | 1 | | |
| Parker..... | | 1 | | |
| Perley..... | | 1 | | |
| Perrin..... | | 1 | | |
| Pratt..... | | 1 | | |
| Redfield..... | | | 1 | |
| Rhoads..... | 1 | | | |
| Rule..... | | | | 1 |
| Scott of Alameda..... | | 1 | | |
| Scott of Siskiyou..... | 1 | | | |
| Smith of Nevada..... | | | | 1 |
| Snyder..... | | | | 1 |
| Sumner..... | | | 1 | |
| Teare..... | | 1 | | |
| Tukey..... | | 1 | | |
| Van Leuven..... | | 1 | | |

| Names. | Howe. | Holloway. | Kirby. | Brooks. |
|------------------------|-------|-----------|--------|---------|
| Van Schaick..... | | 1 | | |
| Walker of Alameda..... | | 1 | | |
| Walker of Fresno..... | | | 1 | |
| Wason..... | | 1 | | |
| Watson..... | | 1 | | |
| Weston..... | | 1 | | |
| Wilcox..... | | | | 1 |
| Wiley..... | | | 1 | |
| Wilsey..... | | 1 | | |
| Winchester..... | | | | 1 |
| Wood..... | | 1 | | |
| Wright..... | | | 1 | |
| Totals..... | 6 | 35 | 21 | 7 |

Whole number of votes cast.....69

Necessary to a choice.....35

Mr. Holloway, having received a majority of all the votes cast, was declared duly elected Assistant Sergeant-at-Arms.

Mr. Scott moved to adjourn.

Lost.

FOR ENROLLING CLERK.

Mr. Devoe nominated J. W. Dodge

Mr. Badlam nominated R. D. Yately.

Mr. Rule nominated J. H. Marple

The vote was then taken, with the following result:

| Names. | Dodge. | Yately. | Marple. |
|--------------------------------|--------|---------|---------|
| Allen..... | 1 | | |
| Alley..... | 1 | | |
| Badlam..... | | 1 | |
| Beaman..... | | | 1 |
| Bowman..... | 1 | | |
| Boulware..... | 1 | | |
| Brooks..... | | | 1 |
| Brown of Amador..... | | 1 | |
| Brown of Tulare..... | | | 1 |
| Buffum..... | | | 1 |
| Campbell of El Dorado..... | 1 | | |
| Campbell of San Francisco..... | | | 1 |
| Castro..... | | | 1 |
| Chappell..... | | | 1 |
| Cherry..... | 1 | | |
| Clark..... | | | 1 |
| Clayton..... | | | 1 |

| Names. | Dodge. | Yately. | Marple. |
|------------------------|--------|---------|---------|
| Devoe | 1 | | |
| Dickinson..... | | | 1 |
| Dodson | | | 1 |
| Dow..... | 1 | | |
| Dutton | 1 | | |
| Dyer | 1 | | |
| Erkson | 1 | | |
| Fraser..... | 1 | | |
| Gray..... | 1 | | |
| Green | | | 1 |
| Hill | | | 1 |
| Hubbard..... | | | 1 |
| Hunt..... | | 1 | |
| Hirst..... | 1 | | |
| Johnson | 1 | | |
| Kendrick .. | | | 1 |
| Langdon | 1 | | |
| Littlefield..... | | | 1 |
| Ludlow..... | | 1 | |
| Lux | | | 1 |
| Lynch..... | 1 | | |
| Martin..... | 1 | | |
| McColliam..... | 1 | | |
| Mebius | 1 | | |
| Owen..... | | | 1 |
| Parker..... | 1 | | |
| Perley..... | 1 | | |
| Perrin..... | | | 1 |
| Personette | | | 1 |
| Pratt | 1 | | |
| Redfield | | | 1 |
| Rhoads | | 1 | |
| Rule..... | | | 1 |
| Scott of Alameda..... | | | 1 |
| Scott of Siskiyou..... | | | 1 |
| Smith of Nevada | 1 | | |
| Smith of Sonoma..... | | | 1 |
| Snyder..... | | | 1 |
| Sumner..... | | | 1 |
| Teare..... | | | 1 |
| Tukey | 1 | | |
| Van Leuven..... | 1 | | |
| Van Schaick | 1 | | |
| Walker of Alameda..... | | | 1 |
| Walker of Fresno..... | | | 1 |
| Wason..... | 1 | | |
| Watson..... | 1 | | |
| Weston | | | 1 |
| Wilcox..... | | | 1 |
| Wiley | | | 1 |
| Wilsey..... | | | 1 |

| Names. | Dodge. | Yately. | Marple. |
|-----------------|--------|---------|---------|
| Winchester..... | | 1 | |
| Whallon | | | 1 |
| Wood..... | 1 | | |
| Wright..... | | | 1 |
| Totals | 30 | 6 | 36 |

Whole number of votes cast72

Necessary to a choice37

No one having received that number, the House again proceeded to ballot, with the following result :

| Names. | Dodge. | Marple. |
|---------------------------------|--------|---------|
| Allen | 1 | |
| Alley | 1 | |
| Badlam | 1 | |
| Beaman..... | | 1 |
| Bowman | 1 | |
| Boulware..... | 1 | |
| Brooks | | 1 |
| Brown of Tulare | | 1 |
| Buffum..... | | 1 |
| Campbell of El Dorado | 1 | |
| Campbell of San Francisco | | 1 |
| Castro | | 1 |
| Chappell | | 1 |
| Cherry..... | 1 | |
| Clark | | 1 |
| Clayton..... | 1 | |
| Devoe | 1 | |
| Dickinson | | 1 |
| Dodson..... | | 1 |
| Dow..... | 1 | |
| Dutton | 1 | |
| Dyer..... | 1 | |
| Erkson..... | 1 | |
| Fraser | 1 | |
| Gray | 1 | |
| Green..... | 1 | |
| Hill..... | | 1 |
| Hoag..... | | 1 |
| Hubbard | | 1 |
| Hunt..... | 1 | |
| Hirst | 1 | |
| Jenison | | 1 |
| Johnson | | 1 |

| Names. | Dodge. | Marple. |
|------------------------|--------|---------|
| Kendrick..... | | 1 |
| Langdon | | 1 |
| Littlefield..... | | 1 |
| Ludlow..... | 1 | |
| Lux | | 1 |
| Lynch | 1 | |
| Martin | 1 | |
| McColliam..... | 1 | |
| Mebius..... | 1 | |
| Owen | | 1 |
| Parker..... | 1 | |
| Perley | 1 | |
| Perrin | | 1 |
| Personette | | 1 |
| Pratt | 1 | |
| Redfield | | 1 |
| Rhoads..... | 1 | |
| Rule | | 1 |
| Scott of Alameda..... | | 1 |
| Scott of Siskiyou..... | | 1 |
| Smith of Nevada..... | 1 | |
| Smith of Sonoma..... | | 1 |
| Snyder..... | | 1 |
| Sumner..... | | 1 |
| Teare | | 1 |
| Tukey | 1 | |
| Van Leuven | 1 | |
| Van Schaick | 1 | |
| Walker of Alameda..... | | 1 |
| Walker of Fresno..... | | 1 |
| Wason | 1 | |
| Watson | 1 | |
| Weston | | 1 |
| Wilcox..... | | 1 |
| Wiley..... | | 1 |
| Wilsey..... | | 1 |
| Winchester | 1 | |
| Whallon..... | | 1 |
| Wood..... | 1 | |
| Wright | | 1 |
| Totals..... | 35 | 38 |

Brown of Amador voted for Yately.

Whole number of votes cast74

Necessary to a choice..37

Mr. Marple, having received a majority of the votes cast, was declared duly elected.

FOR ENGROSSING CLERK.

Mr. Winchester nominated A. N. Gambill.

Mr. Redfield nominated G. A. Hill.

Mr. Ludlow nominated R. B. Bell.

A vote was then taken, with the following result :

| Names. | Gambill. | Hill. | Bell. |
|--------------------------------|----------|-------|-------|
| Allen..... | | 1 | |
| Alley..... | | | 1 |
| Badlam..... | 1 | | |
| Beaman..... | 1 | | |
| Boulware..... | 1 | | |
| Brooks..... | | 1 | |
| Brown of Amador..... | 1 | | |
| Brown of Tulare..... | 1 | | |
| Buffum..... | | 1 | |
| Campbell of El Dorado..... | 1 | | |
| Campbell of San Francisco..... | 1 | | |
| Castro | | 1 | |
| Chappell..... | 1 | | |
| Cherry..... | 1 | | |
| Devoe..... | | 1 | |
| Dickinson..... | | 1 | |
| Dodson..... | 1 | | |
| Dow..... | 1 | | |
| Dutton..... | | 1 | |
| Dyer..... | 1 | | |
| Erkson..... | | 1 | |
| Fraser..... | | | 1 |
| Gray..... | 1 | | |
| Green..... | 1 | | |
| Hartsough..... | 1 | | |
| Hill..... | 1 | | |
| Hoag..... | | 1 | |
| Hubbard..... | | 1 | |
| Hunt..... | 1 | | |
| Hirst..... | | 1 | |
| Jenison..... | | 1 | |
| Johnson..... | 1 | | |
| Langdon..... | 1 | | |
| Littlefield..... | 1 | | |
| Ludlow..... | | | 1 |
| Lux..... | 1 | | |
| Lynch..... | 1 | | |
| Martin..... | 1 | | |
| McColliam..... | | 1 | |
| Mebius..... | | 1 | |
| Owen..... | | 1 | |
| Parker..... | | | 1 |
| Perley..... | | 1 | |
| Perrin..... | | 1 | |

| Names. | Gambill. | Hill. | Bell. |
|-------------------------|----------|-------|-------|
| Personette | 1 | | |
| Pratt | 1 | | |
| Redfield..... | | 1 | |
| Rhoads..... | 1 | | |
| Rule..... | 1 | | |
| Scott of Alameda..... | | 1 | |
| Scott of Siskiyou | 1 | | |
| Smith of Nevada..... | 1 | | |
| Snyder..... | 1 | | |
| Sumner | | 1 | |
| Teare | | | 1 |
| Tukey | | | 1 |
| Van Leuven..... | 1 | | |
| Van Schaick..... | | 1 | |
| Walker of Alameda.. .. | | 1 | |
| Wason..... | 1 | | |
| Watson | | 1 | |
| Weston..... | 1 | | |
| Wilcox..... | 1 | | |
| Wiley | | 1 | |
| Wilsey..... | 1 | | |
| Winchester..... | 1 | | |
| Whallon | | 1 | |
| Wood..... | | 1 | |
| Total..... | 36 | 26 | 6 |

Whole number of votes cast.....68

Necessary to a choice.....35

Mr. Gambill, having received a majority of the votes cast, was declared duly elected Engrossing Clerk

Mr. Boulware moved to adjourn.

Lost.

FOR JOURNAL CLERK.

Mr. Rule nominated J. M. Days.

Mr. Badlam nominated L. S. Taylor.

The vote was then taken, with the following result :

| Names. | Days. | Taylor. |
|--------------------------------|-------|---------|
| Allen..... | | 1 |
| Alley..... | 1 | ..... |
| Badlam..... | | 1 |
| Beaman..... | 1 | ..... |
| Bowman..... | | 1 |
| Boulware..... | 1 | ..... |
| Brooks..... | 1 | ..... |
| Brown of Amador..... | | 1 |
| Buffum..... | 1 | ..... |
| Campbell of El Dorado..... | 1 | ..... |
| Campbell of San Francisco..... | 1 | ..... |
| Castro..... | 1 | ..... |
| Chappell..... | | 1 |
| Cherry..... | 1 | ..... |
| Clark..... | | 1 |
| Clayton..... | 1 | ..... |
| Devoe..... | | 1 |
| Dodson..... | | 1 |
| Dow..... | | 1 |
| Dutton..... | 1 | ..... |
| Dyer..... | | 1 |
| Erkson..... | | 1 |
| Fraser..... | 1 | ..... |
| Green..... | 1 | ..... |
| Hill..... | | 1 |
| Hittell..... | | 1 |
| Hoag..... | | 1 |
| Hubbard..... | 1 | ..... |
| Hirst..... | | 1 |
| Jenison..... | 1 | ..... |
| Langdon..... | | 1 |
| Littlefield..... | 1 | ..... |
| Ludlow..... | | 1 |
| Lux..... | | 1 |
| Lynch..... | | 1 |
| Martin..... | | 1 |
| McColliam..... | 1 | ..... |
| Mebius..... | | 1 |
| Mitchell..... | | 1 |
| Owen..... | | 1 |
| Parker..... | | 1 |
| Perley..... | | 1 |
| Perrin..... | 1 | ..... |
| Personette..... | 1 | ..... |
| Pratt..... | 1 | ..... |
| Redfield..... | 1 | ..... |
| Rhoads..... | | 1 |
| Rule..... | 1 | ..... |
| Scott of Alameda..... | | 1 |
| Scott of Siskiyou..... | 1 | ..... |
| Smith of Nevada..... | 1 | ..... |

| Names. | Days. | Taylor. |
|------------------------|-------|---------|
| Smith of Sonoma..... | | 1 |
| Snyder..... | 1 | |
| Sumner..... | 1 | |
| Teare..... | | 1 |
| Tukey..... | | 1 |
| Van Lueven..... | | 1 |
| Van Schaick..... | | 1 |
| Walker of Alameda..... | 1 | |
| Wason..... | | 1 |
| Watson..... | | 1 |
| Weston..... | 1 | |
| Wilcox..... | | 1 |
| Wiley..... | 1 | |
| Wilsey..... | | 1 |
| Winchester.. | 1 | |
| Wood..... | 1 | |
| Totals | 31 | 36 |

Mr. Taylor, having received a majority of all the votes cast, was declared duly elected.

FOR COPYING CLERKS.

It was, on motion, resolved to vote for the two Copying Clerks at one ballot

Mr. Cherry nominated F. G. Randall.

Mr. Teare nominated H. L. Leese.

Mr. Wilcox nominated N. Moritz

Mr. ——— nominated S. N. Bosworth.

Mr. Lynch nominated P. G. Wood

Mr. ——— nominated Thos Moreland

The vote was then taken, with the following result :

| NAMES. | Wood..... | Randall... | Leese..... | Moreland.. | Bosworth.. | Moritz..... |
|-----------------------------|-----------|------------|------------|------------|------------|-------------|
| Allen..... | | | 1 | | | 1 |
| Alley..... | | | 1 | | | 1 |
| Badlam..... | 1 | | | | | 1 |
| Beaman..... | | | 1 | | | 1 |
| Bowman..... | 1 | 1 | | | | |
| Boulware.. | | 1 | | | | 1 |
| Brooks..... | | 1 | | | | 1 |
| Brown of Amador..... | | | 1 | | | 1 |
| Buffum..... | | | 1 | | 1 | |
| Campbell of El Dorado..... | | | 1 | | | 1 |
| Campbell of San Francisco.. | 1 | 1 | | | | |

| NAMES. | Wood..... | Ranfall .. | Loose..... | Moreland.. | Bosworth.. | Moritz..... |
|------------------------|-----------|------------|------------|------------|------------|-------------|
| Castro..... | | 1 | 1 | | | |
| Chappell..... | 1 | | | | 1 | |
| Cherry..... | 1 | 1 | | | | |
| Clark..... | | | | 1 | | 1 |
| Clayton..... | 1 | 1 | | | | |
| Devoe..... | | | | | 1 | 1 |
| Dickinson..... | 1 | | 1 | | | |
| Dodson..... | | | | 1 | | 1 |
| Dow..... | | | 1 | | | 1 |
| Dutton | 1 | 1 | | | | |
| Dyer..... | | | 1 | | | 1 |
| Erkson..... | | 1 | 1 | | | |
| Fraser..... | | | 1 | | | 1 |
| Gray..... | 1 | 1 | | | | |
| Green..... | | 1 | | | 1 | |
| Hill..... | 1 | | 1 | | | |
| Hittell..... | 1 | 1 | | | | |
| Hubbard..... | 1 | | 1 | | | |
| Hunt..... | | | | 1 | | 1 |
| Hirst..... | | | 1 | | | 1 |
| Jenison..... | | | 1 | | | 1 |
| Johnson..... | 1 | 1 | | | | |
| Kendrick..... | 1 | | 1 | | | |
| Langdon..... | | 1 | | | | 1 |
| Littlefield..... | 1 | | 1 | | | |
| Ludlow..... | | | 1 | | | 1 |
| Lux..... | 1 | 1 | | | | |
| Lynch..... | 1 | 1 | | | | |
| Martin..... | | 1 | | | | 1 |
| McColliam..... | | 1 | | | 1 | |
| Mebius..... | 1 | 1 | | | | |
| Owen..... | | 1 | 1 | | | |
| Parker..... | | | | | 1 | 1 |
| Perley..... | 1 | | 1 | | | |
| Perrin..... | 1 | 1 | | | | |
| Personette | 1 | | 1 | | | |
| Pratt..... | | | 1 | 1 | | |
| Redfield..... | 1 | | 1 | | | |
| Rhoads..... | 1 | 1 | | | | |
| Rule..... | 1 | 1 | | | | |
| Scott of Alameda..... | 1 | 1 | | | | |
| Scott of Siskiyou..... | | | 1 | | 1 | |
| Smith of Nevada..... | | 1 | 1 | | | |
| Smith of Sonoma..... | 1 | | | | 1 | |
| Snyder..... | | 1 | 1 | | | |
| Sumner..... | | | 1 | | 1 | |
| Teare..... | | | 1 | 1 | | |
| Tukey..... | | | | 1 | | 1 |
| Van Leuven..... | | 1 | 1 | | | |

| NAMES. | Wood | Randall.. | Leese..... | Moreland. | Bosworth.. | Moritz..... |
|-------------------------|------------|-----------|------------|-----------|------------|-------------|
| Van Schaick..... | ..... | 1 | 1 | ..... | ..... | ..... |
| Walker of Alameda ..... | ..... | 1 | 1 | ..... | ..... | ..... |
| Walker of Fresno..... | ..... | ..... | ..... | ..... | 1 | 1 |
| Wason..... | 1 | ..... | 1 | ..... | ..... | ..... |
| Watson..... | ..... | 1 | 1 | ..... | ..... | ..... |
| Weston..... | ..... | ..... | 1 | ..... | ..... | 1 |
| Wilcox..... | ..... | ..... | 1 | ..... | ..... | 1 |
| Wiley..... | 1 | ..... | ..... | ..... | ..... | 1 |
| Wilsey..... | ..... | ..... | ..... | 1 | ..... | 1 |
| Winchester..... | ..... | ..... | 1 | 1 | ..... | ..... |
| Whallon | 1 | ..... | ..... | 1 | ..... | ..... |
| Wood..... | 1 | 1 | ..... | ..... | ..... | ..... |
| Wright..... | 1 | ..... | ..... | ..... | ..... | 1 |
| Totals | 31 | 31 | 37 | 9 | 10 | 28 |

Whole number of votes..... 73

Necessary to a choice..... 37

Mr. Leese, having received that number, was declared duly elected
 a Copying Clerk of the Assembly
 The House then proceeded to ballot again, with the following result :

| NAMES. | Wood..... | Randall | Moreland .. | Bosworth.... | Moritz..... |
|--------------------------------|-----------|---------------|-------------|--------------|-------------|
| Allen | | | | | 1 |
| Alley | | | | | 1 |
| Badlam | | | | | 1 |
| Beaman | | | | | 1 |
| Bowman | 1 | ..... | ..... | ..... | ..... |
| Boulware | | | | | 1 |
| Brooks | | 1 | ..... | ..... | ..... |
| Brown of Amador..... | | | | | 1 |
| Brown of Tulare | | | | | 1 |
| Buffum | | | | | 1 |
| Campbell of El Dorado. | | | | | 1 |
| Campbell of San Francisco..... | | | | | 1 |
| Castro | | 1 | ..... | ..... | ..... |
| Chappell | 1 | ..... | ..... | ..... | ..... |
| Cherry | | 1 | ..... | ..... | ..... |
| Clark..... | | | | | 1 |
| Clayton..... | 1 | ..... | ..... | ..... | ..... |
| Devoc..... | | | | | 1 |

| NAMES. | Wood, | Randall | Moreland... | Besworth... | Moritz..... |
|-------------------------|------------|--------------|-------------|-------------|-------------|
| Dickinson | | | | | 1 |
| Dodson | | | | | 1 |
| Dow | | | | | 1 |
| Dutton | | | | | 1 |
| Dyer..... | | | | | 1 |
| Erkson..... | | 1 | | | |
| Fraser..... | | | | | 1 |
| Gray..... | 1 | | | | |
| Green..... | | 1 | | | |
| Hill | | | | | 1 |
| Hittell..... | | 1 | | | |
| Hubbard..... | 1 | | | | |
| Hunt | | | | | 1 |
| Hirst | | | | | 1 |
| Jenison..... | 1 | | | | |
| Johnson | | 1 | | | |
| Kendrick | | | | | 1 |
| Langdon | | | | | 1 |
| Littlefield | | 1 | | | |
| Ludlow | | | | | 1 |
| Lynch | 1 | | | | |
| Martin..... | | | | | 1 |
| McColliam..... | | | | | 1 |
| Mebius | | 1 | | | |
| Owen..... | | 1 | | | |
| Parker | | | | | 1 |
| Perley | | | | | 1 |
| Perrin | | 1 | | | |
| Personette | 1 | | | | |
| Pratt | | 1 | | | |
| Redfield | 1 | | | | |
| Rhoads..... | | | | | 1 |
| Rule..... | | 1 | | | |
| Scott of Alameda..... | | 1 | | | |
| Scott of Siskiyou | | 1 | | | |
| Smith of Nevada..... | | 1 | | | |
| Smith of Sonoma..... | 1 | | | | |
| Snyder | | 1 | | | |
| Sumner..... | | | | | 1 |
| Teare..... | | | | | 1 |
| Tukey..... | | | | | 1 |
| Van Leuven..... | | 1 | | | |
| Van Schaick | | 1 | | | |
| Walker of Alameda | | | | | 1 |
| Walker of Fresno | | | | | 1 |
| Wason | 1 | | | | |
| Watson | | | | | 1 |
| Weston | | | | | 1 |

| NAMES. | Wood. | Randall... | Moreland ... | Bosworth ... | Moritz |
|------------------|------------|------------|--------------|--------------|----------------|
| Wilcox | | | | | 1 |
| Wiley | | | | | 1 |
| Wilsey. | | | | | 1 |
| Winchester | | 1 | | | |
| Whallon .. | 1 | | | | |
| Wood | | | | | 1 |
| Wright..... | | | | | 1 |
| Totals | 12 | 20 | | | 41 |

Whole number of votes cast.....73
Necessary to a choice.....37

Mr. Moritz, having received a majority of all the votes cast, was declared duly elected Copying Clerk.

FOR WATCHMAN.

Mr. Perley nominated P. Groves.

Mr. Martin nominated — Brooks.

Mr. Beaman nominated — Baker

A vote was then taken, with the following result :

| Names. | Groves. | Brooks. | Baker. |
|---------------------------------|---------|---------|--------|
| Allen | 1 | | |
| Alley | | 1 | |
| Badlam | | 1 | |
| Beaman | | | 1 |
| Bowman .. | 1 | | |
| Boulware | | | 1 |
| Brooks | 1 | | |
| Brown of Tulare | 1 | | |
| Buffum | | 1 | |
| Campbell of El Dorado..... | 1 | | |
| Campbell of San Francisco | 1 | | |
| Castro | | | 1 |
| Chappell | 1 | | |
| Cherry | 1 | | |
| Clayton .. | 1 | | |
| Devoe | 1 | | |
| Dickinson | 1 | | |
| Dodson..... | 1 | | |
| Dow..... | | 1 | |
| Dutton | 1 | | |

| Names. | Groves. | Brooks. | Baker. |
|-------------------------|---------|---------|--------|
| Fraser | 1 | | |
| Gray | 1 | | |
| Green | | 1 | |
| Hill | 1 | | |
| Hittell..... | | 1 | |
| Hubbard..... | | | 1 |
| Hunt | 1 | | |
| Hirst | 1 | | |
| Jenison | | | 1 |
| Johnson | | 1 | |
| Kendrick | | 1 | |
| Langdon..... | | 1 | |
| Littlefield..... | | 1 | |
| Ludlow | | 1 | |
| Lux | 1 | | |
| Lynch | 1 | | |
| Martin | | 1 | |
| McColliam | 1 | | |
| Mebius..... | 1 | | |
| Owen..... | | 1 | |
| Parker | | 1 | |
| Perley | 1 | | |
| Perrin | 1 | | |
| Personette | 1 | | |
| Rhoads | 1 | | |
| Rule..... | | 1 | |
| Scott of Alameda..... | 1 | | |
| Scott of Siskiyou..... | | 1 | |
| Smith of Nevada | 1 | | |
| Smith of Sonoma | | 1 | |
| Snyder..... | 1 | | |
| Sumner..... | | 1 | |
| Teare | 1 | | |
| Tukey | 1 | | |
| Van Leuven..... | 1 | | |
| Van Schaick | | 1 | |
| Walker of Alameda | 1 | | |
| Walker of Fresno..... | 1 | | |
| Wason..... | | 1 | |
| Watson | 1 | | |
| Weston | | 1 | |
| Wilcox | 1 | | |
| Wiley | 1 | | |
| Wilsey..... | | | 1 |
| Winchester..... | | 1 | |
| Whallon | | 1 | |
| Wood..... | 1 | | |
| Wright..... | 1 | | |
| Totals..... | 39 | 23 | 6 |

| | |
|---------------------------------|----|
| Whole number of votes cast..... | 68 |
| Necessary to a choice..... | 35 |

Mr. Groves, having received more than a majority, was declared duly elected Watchman.

All the officers thus declared elected appeared before the Speaker, and severally took the oath of office.

Mr. Wright offered the following resolution :

Resolved, That the Clerk of Assembly be and he is hereby instructed to inform the Senate of the organization of the Assembly, by the election of the following officers, and are ready to proceed to the regular business of legislation.

| | |
|---------------------------------|------------------|
| Speaker..... | Wm. H. Sears |
| Speaker pro tem..... | J. J. Owen. |
| Clerk | O. C. Wheeler. |
| Assistant Clerk..... | R. H. Daly. |
| Minute Clerk..... | Martin Rowan. |
| Sergeant-at-Arms..... | Wm. M. Rider. |
| Assistant Sergeant-at-Arms..... | J. F. Holloway. |
| Enrolling Clerk..... | J. H. Marple. |
| Engrossing Clerk | A. N. Gambill. |
| Journal Clerk..... | L. S. Taylor. |
| Copying Clerk., | H. A. Lecse. |
| Copying Clerk..... | Nicholas Moritz. |
| Watchman..... | P. Groves. |

Pending action thereon, on motion of Mr. Wiley, at fifteen minutes to four o'clock, p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, December 8th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

The names of sundry members, incorrectly entered in the minutes, were ordered corrected, and the name of Mr. Scott substituted for Mr. Wright, as having placed Mr. W. N. Slocum in nomination for Assistant Clerk.

Ygnacio Sepulveda, of the County of Los Angeles, presented his credentials, and took the oath of office as member of the Assembly.

Mr Buffum had leave to have his name recorded as present at roll call.

Mr. Rule moved that the House proceed to elect a Fireman.

Lost.

On motion of Mr. Martin, the resolution offered on yesterday by Mr. Wright, relative to informing the Senate of the organization of the Assembly, was considered, and passed

The Speaker announced the following appointments:

| | |
|------------------------------|-------------------|
| Master John Abbey..... | Page |
| Master Merlin Keyes..... | Page. |
| Master Alex. B. Selkirk..... | Page. |
| Master G. A. Sprague | Post Office Page. |
| Master — Matheson..... | Paper Folder. |

Also, the following

COMMITTEE ON MILEAGE.

Messrs. Personette, Lux, Allen, Castro, Dutton.

Mr. Wiley offered a concurrent resolution for the appointment of a Joint Committee of the Senate and Assembly to wait upon the Governor, and inform him of the organization of the Legislature.

Carried.

RESOLUTIONS.

Mr. Ludlow offered the following resolution:

Resolved. That we invite the officiating Union Clergymen of this city to open each session, hereafter, of this House by prayer—each to officiate on such day as they can agree upon among themselves.

Mr. Rule offered the following substitute:

Resolved, That this House proceed to elect a Chaplain.

Mr. Owen moved to amend the substitute as follows:

“That the Chief Clerk, Reverend O. C. Wheeler, be requested to open the daily sessions with prayer.”

Lost.

Mr. Martin also proposed to amend the substitute as follows:

Resolved, That the loyal Clergy of this city be invited to open this House with prayer, in such order as they may arrange among themselves, and that they shall receive the sum of five dollars per day.

Lost.

The substitute offered by Mr. Rule was then adopted, and the House proceeded to elect a Chaplain

FOR CHAPLAIN

Mr. Badlam nominated Reverend W. H. Hill.

Mr. ——— nominated Reverend M. C. Briggs.

Mr. Dutton nominated Reverend Mr. Dwinelle.

Mr. Littlefield nominated Reverend Mr. Charlton.

The vote was then taken, with the following result :

| Names. | Hill. | Briggs. | Dwinelle. | Charlton. |
|---------------------------------|-------|---------|-----------|-----------|
| Allen | | 1 | | |
| Badlam..... | 1 | | | |
| Beanian | | 1 | | |
| Bowman | | | 1 | |
| Boulware | | 1 | | |
| Brooks | | | 1 | |
| Brown of Amador..... | | 1 | | |
| Buffum | | 1 | | |
| Campbell of San Francisco | | 1 | | |
| Castro..... | | 1 | | |
| Chappell..... | | | | 1 |
| Cherry..... | | 1 | | |
| Clayton..... | | 1 | | |
| Devee..... | | 1 | | |
| Dickinson | | | 1 | |
| Dodson..... | | 1 | | |
| Dow..... | | 1 | | |
| Dutton | | | 1 | |
| Erkson | | 1 | | |
| Fraser..... | | 1 | | |
| Gray | | | 1 | |
| Green | | 1 | | |
| Hartsough..... | | 1 | | |
| Hill | 1 | | | |
| Hubbard | | 1 | | |
| Hunt | 1 | | | |
| Jenison | | 1 | | |
| Johnson..... | | 1 | | |
| Langdon..... | 1 | | | |
| Littlefield | | | | 1 |
| Ludlow..... | | | 1 | |
| Lux | | 1 | | |
| McColliam..... | | | 1 | |
| Mebius | | 1 | | |
| Owen..... | | 1 | | |
| Parker | 1 | | | |
| Perley..... | | | | 1 |
| Perrin..... | | 1 | | |
| Pratt | | | 1 | |
| Redfield | 1 | | | |
| Rhoads..... | | 1 | | |
| Rule..... | | 1 | | |
| Smith of Nevada | | 1 | | |
| Snyder..... | | 1 | | |
| Sumner..... | | 1 | | |
| Teare | | 1 | | |
| Tukey..... | | 1 | | |
| Van Leuven..... | | 1 | | |
| Van Schaick..... | | 1 | | |

| Names. | Hill. | Briggs. | Dwinelle. | Charlton |
|------------------------|-------|---------|-----------|----------|
| Walker of Alameda..... | | 1 | | |
| Wason | 1 | | | |
| Watson..... | 1 | | | |
| Weston | | | | 1 |
| Wiley..... | | 1 | | |
| Wilsey..... | 1 | | | |
| Winchester..... | | 1 | | |
| Wood | | 1 | | |
| Wright..... | | 1 | | |
| Totals..... | 9 | 37 | 7 | 5 |

| | |
|----------------------------------|----|
| Whole number of votes cast | 58 |
| Necessary to a choice..... | 30 |
| Rev. Mr. Briggs received..... | 37 |
| Rev. Mr. Hill received..... | 9 |
| Rev. Mr. Dwinelle received..... | 7 |
| Rev. Mr. Charlton received..... | 5 |

Rev. Mr. Briggs, having received a majority of all the votes cast, was declared duly elected Chaplain of the Assembly.

Mr. Lux offered the following resolution :

Resolved, That the Sergeant-at-Arms be directed to furnish each member of this body with five daily papers published in this State, or their equivalent in weeklies.

Carried.

Mr. Wright offered the following resolution :

Resolved, That a committee of five be appointed by the Speaker to prepare and report Rules for the government of the Assembly ; and that such committee be authorized to act with a similar committee from the Senate, on Joint Rules.

Carried.

Mr. Dodson offered the following resolution :

Resolved, That the Sergeant-at-Arms be directed to furnish postage stamps to each member of the Assembly, and the Chief and Assistant Clerks, to the amount of twenty-five dollars.

Mr Cherry moved to amend by adding "each," after the word "dollars "

Carried.

Mr. Dutton moved to amend by striking out all after the words "Chief Clerk."

Carried

Mr. Hubbard moved to add "twenty-five dollars each."

Carried

Mr. Martin moved to include the Assistant Clerk in the resolution

Lost.

Mr. McColliam offered an amendment, substituting seventeen dollars and fifty cents in gold, in lieu of twenty-five dollars in currency.

The motion did not prevail.

The following substitute was offered by Mr. Watson :

"That each member and the Chief Clerk have an appropriation to the amount of twenty-five dollars in cash, for postage or Express envelops, or stamps, at their own election."

Lost.

Mr. Lux moved to lay the whole subject matter on the table.

Lost.

Mr. Martin then offered the following substitute :

Resolved, That the Sergeant-at-Arms be requested to furnish postage stamps or Express envelops to each member of the Assembly and the Chief Clerk and his Assistant, to the amount of twenty-five dollars.

Mr. Brown offered the following amendment :

Resolved, That the Sergeant-at-Arms be directed to furnish each member of the House and the Chief Clerk with postage stamps, not exceeding the amount of twenty-five dollars, as each member may direct.

The amendment was rejected

The substitute of Mr. Martin was finally adopted.

Mr. Owen offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to receipt to the Controller of State for all warrants for per diem and mileage of the Speaker and members of the Assembly, and for per diem of officers, Clerks, and attachés of the Assembly.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 8th, 1863 }

MR. SPEAKER :—The Senate have this day adopted Senate concurrent resolution No. 2, relative to Joint Convention to canvass votes for Governor and Lieutenant-Governor.

CHAS. WESTMORELAND,
Secretary.

Mr. Martin moved to amend by substituting "one o'clock, P. M.," instead of "twelve o'clock, M."

Amendment adopted.

The Senate concurrent resolution was concurred in.

RESOLUTIONS RESUMED.

Mr. Scott offered the following resolution :

Resolved, That the Sergeant-at-Arms of the Assembly be allowed a Clerk, at the per diem of six dollars.

Adopted.

Mr. Owen offered the following resolution :

Resolved, That the Sergeant-at-Arms be directed to furnish necessary stationery to all regular newspaper Reporters admitted to the floor of this Assembly.

Adopted.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Cherry, for an Act to amend an Act entitled an Act to authorize the incorporation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine.

By Mr. Scott, for an Act to provide for Township Assessors in the County of Alameda.

By Mr. Dodson, for an Act to reduce the salary of County Judge of Lake County.

On motion of Mr. Cherry, at twelve o'clock and thirty minutes, P. M., the House took a recess until one o'clock, P. M.

HOUSE RE-ASSEMBLED.

At one o'clock, P. M., the House re-assembled.

Speaker in the Chair.

Roll called.

Quorum present.

On motion of Mr. Brown, the Clerk was directed to inform the Senate that the Assembly were prepared to meet them in Joint Convention, to canvass the votes for Governor and Lieutenant-Governor of California.

IN JOINT CONVENTION.

Lieutenant-Governor Chellis, President of the Senate, and Honorable W. H. Sears, Speaker of the House, presiding

Roll of both Houses called.

Quorum present.

The Convention proceeded to canvass the votes for Governor and Lieutenant-Governor, so far as they had been received.

On motion of Mr. Hartsough, Messrs. Gaskill and Yule, on the part of the Senate, and Messrs. Buffum and Cherry, on the part of the Assembly, were appointed Tellers.

The returns of the soldiers' vote not having been received by the Speaker of the Assembly,

On motion of Mr. Jones, a committee, composed of Messrs. Evans and Foulke, of the Senate, and Messrs. Wright and Alley, of the Assembly,

were appointed to wait on the Secretary of State, and obtain them from his office

The committee retired, and soon after reported that the returns would soon be forthcoming.

VOTES FOR GOVERNOR.

The result of the canvass of the returns sent to the Speaker of the Assembly, and the return of the soldiers' vote received from the Secretary of State, was as follows:

| | |
|-------------------------|---------|
| For F. F. Low..... | 64,323 |
| For John G. Downey..... | 44,492 |
| Total..... | 108,815 |

FOR LIEUTENANT-GOVERNOR

The result of all the returns was as follows:

| | |
|--------------------------|---------|
| For T. N. Machin..... | 65,013 |
| For E. W. McKinstry..... | 43,893 |
| Total..... | 108,906 |

THE SOLDIERS' VOTE.

The return of the soldiers' vote was as follows:

FOR GOVERNOR.

| | |
|-----------------------|-------|
| For F. F. Low..... | 4,159 |
| For J. G. Downey..... | 140 |
| Total..... | 4,299 |

FOR LIEUTENANT-GOVERNOR.

| | |
|--------------------------|-------|
| For T. N. Machin..... | 4,199 |
| For E. W. McKinstry..... | 106 |
| Total..... | 4,305 |

F. F. Low, having received the largest number of votes, was declared duly elected Governor of the State of California.

T. N. Machin, having received the large-t number of votes, was declared duly elected Lieutenant-Governor of the State of California.

The object of the Convention having been accomplished, it was adjourned *sine die*.

IN ASSEMBLY.

The Speaker appointed the following committee on the part of the House to wait on the Governor: Messrs. Wiley, Campbell of San Francisco, and Boulware.

The Speaker also appointed Mr. Cherry a committee to wait on Reverend Mr. Briggs, and inform him of his election as Chaplain.

At four o'clock and ten minutes, p. m., on motion of Mr. Snyder, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, December 9th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Reverend Mr. Briggs

The minutes of the preceding day were read and approved.

Hon. E. J. C. Kewen, of Los Angeles, appeared, presented his credentials, and took the oath of office as member of Assembly.

Mr. Wiley made the following report:

MR. SPEAKER:—The special committee appointed to wait upon the Governor and inform him of the organization of the Legislature, have discharged the duty assigned them, and report that his Excellency will send in his Annual Message this day, at twelve, M

WILEY,
CAMPBELL,
BOULWARE,
Assembly Committee.
CUNNINGHAM,
WRIGHT,
JONES,
Senate Committee.

RESOLUTIONS.

Mr. Rule offered the following resolution:

Resolved, That a committee of three be appointed to see what claims the temporary officers and pages have, and report the same to the House.

Adopted.

Mr. Owen offered the following resolution:

Resolved, That the Sergeant-at-Arms be allowed the same amount of postage stamps as the members of this House.

Adopted.

The Speaker announced the following Committee on Rules: Messrs. Wright, J. J. Owen, Martin, Cherry, Whallon.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
December 8th, 1863. }

MR. SPEAKER:—The Senate was yesterday organized by the election of the following officers:

President pro tem.....R. Burnell.
Secretary.....Charles Westmoreland.
Assistant SecretaryA. W. Bishop.
Sergeant-at-Arms.....John Helmsley.
Assistant Sergeant-at-Arms.....James A. Stidger.
Minute Clerk.....J. S. Van Doren.
Journal Clerk.....W. F. Huestis.
Enrolling ClerkAlbert Clarke.
Engrossing Clerk.....M. A. Gelston.
Copying Clerks.....F. Hallowell and W. A. Plunkett.

And are ready to proceed with the regular business of the Session.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
December 8th, 1863. }

MR. SPEAKER:—I am directed to inform the Assembly that the Assembly concurrent resolution No. 1, relative to the appointment of a committee to wait upon the Governor, was this day concurred in by the Senate, and Messrs. Cunningham, Wright, and Jones, were appointed a committee on the part of the Senate.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
December 8th, 1863. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate this day adopted concurrent resolution No. 3, relating to the appointment of Fireman for both Houses, and ask the concurrence of the Assembly.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
December 8th, 1863. }

MR. SPEAKER:—I am directed to inform the Assembly that the Assembly concurrent resolution No. 1 is concurred in by the Senate, and Messrs. Jones, Cunningham, and Wright, were appointed such committee on the part of the Senate;

Also, that the Senate have concurred in the Assembly amendment to concurrent resolution No. 2.

CHAS. WESTMORELAND,
Secretary.

Senate concurrent resolution No. 3, above reported, concurred in
Senate concurrent resolution No. 4, above reported, concurred in.

NOTICES OF BILLS

Notices of the introduction of bills were given as follows :

By Mr. Owen, for an Act fixing the amount of bonds of the Sheriff of the County of Santa Clara.

By Mr. Brown of Amador, for an Act to grant the right to construct a turnpike road, commencing at the junction of the Big Tree and Amador and Nevada Wagon Road, running thence through Carson Cañon, to Woodford's Station, all in Amador County, California.

INTRODUCTION OF BILLS.

Mr. Cherry, pursuant to notice, introduced a bill for an Act to amend an Act entitled an Act to authorize the incorporation of Rural Cemetery Associations, approved April eighteen, eighteen hundred and fifty-nine.

Read first and second times, and placed on file.

The following concurrent resolution was offered by Mr. Cherry :

Resolved, By the Assembly, the Senate concurring, that a joint committee of three members of each House be appointed to wait upon the Governor and Lieutenant-Governor elect, and ascertain when those officers will be prepared for the Inauguration. Also, to act as a Committee of Arrangements on that occasion.

Adopted.

FURTHER MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 9th, 1863. }

MR SPEAKER :—I am directed to inform the Assembly that the Senate this day adopted concurrent resolution No. 5, relative to appointment of committee to wait on the Governor and Lieutenant Governor, to ascertain when it will be their pleasure to have the inauguration performed.

CHAS. WESTMORELAND,
Secretary

Senate concurrent resolution No. 5, above reported, was concurred in, and Messrs. Buffum, Cherry, and Campbell of San Francisco, appointed a committee on the part of the Assembly

The Speaker announced the following appointments for Porters of the House: Henry Brown, Louis Callish, and A. S. Brown.

At eleven o'clock and forty-five minutes, A. M., the House took a recess until five minutes before twelve, A. M.

HOUSE RE-ASSEMBLED

Roll called.

Quorum present.

The Speaker appointed the following Committee on claims of temporary officers and attachés of the House: Messrs. Rule, Brown of Amador, and Wilsey.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, December 9th, 1863. }

To the Honorable the Assembly of California :

I herewith transmit to your honorable body my Second Annual Message

The accompanying documents have been transmitted to the Senate, with the request to place them at the disposal of your honorable body.

LELAND STANFORD,
Governor.

GOVERNOR'S MESSAGE

The following Message, and accompanying documents, were received :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, December 9th, 1863 }

TO THE SENATE AND ASSEMBLY OF THE STATE OF CALIFORNIA :

You are once more assembled by a constitutional provision to act under the delegated authority of the people of this State, as its legislative guardians. As faithful representatives, you will appreciate the importance of the trust confided to your care.

To the nation of which we are a part, the months that have passed since your last annual gathering have been months of ever changing but never ceasing interest. Thousands and tens of thousands who entered upon the year with high hopes and ardent expectations—who engaged themselves with loyal hearts in a nation's struggle for a nation's life—are now, as the waning days herald the closing of its scenes, lying beneath the honored turf of many a well fought battle field; and their heroic names, hallowed as they are by the mournful associations of their own bereaved homes, will be held forever glorious in the estimation of our country, for the very existence of which they offered themselves as a voluntary sacrifice

While, then, we are congratulating ourselves upon the national successes of the past year, and the undeviating advance of our armies and arms—while we engage in thankful recollections over the victories we have obtained, and the territory we have conquered—while in our rejoicings we pay a just tribute to the living heroes who represent our country's strength, let us not forget the sad memories that are due to the gallant dead of eighteen hundred and sixty-three. And let us in all our acts be so influenced as to be worthy of the sacrifices made by the living and the dead, who are the glory and honor of our country.

FINANCES OF THE STATE.

The Legislature of last Winter added to the per centage of taxation for State purposes an amount which, in view of the probable increase in assessable property, it was thought would put the finances of the State upon a cash basis. Owing, however, to causes that are enlarged upon in another place, the general assessment lists, although larger than before,

do not exhibit the increase that was anticipated. For this reason, and for the additional reason, that an unusual amount of expenditure has been made during the year upon military appropriations, this additional tax has not up to this time relieved the State Treasury from the pressure of outstanding obligations

You will receive herewith the annual reports of the State Treasurer and State Controller, which will exhibit the receipts and expenditures during the year, and present the financial condition of the State up to the first day of December, eighteen hundred and sixty-three. On that day the Controller shows the entire indebtedness of the State to be as follows :

| | |
|---|---|
| Bonds issued under the Act of 1857, outstanding | \$3,620,500 00 |
| Bonds of 1860 outstanding | 198,500 00 |
| Old War Debt, under Act of March 7, 1851, and May 3, 1852..... | 218,468 54 |
| Transfer from Swamp Land Fund for Legislative expenses, Fourteenth Session..... | 183,125 00 |
| Due the School Fund..... | 368,520 00 |
| Bonds held by State Treasurer in trust for the School Fund..... | 107,000 00 |
| Outstanding Warrants drawn on General Fund..... | 210,620 40 |
| | <hr/> \$4,906,733 94 |
| From this deduct Legal Tender Notes in Treasury belonging to General Fund..... | 67,190 87 |
| | <hr/> Indebtedness of State, December 1, 1863 |
| | \$4,839,543 07 |
| On the first of December, 1862 the State Debt was..... | 5,569,284 76 |
| December 1, 1863, it is as above exhibited..... | 4,839,543 07 |
| | <hr/> Decrease..... |
| | \$729,741 69 |

This shows a decrease in the State Debt during the year of seven hundred and twenty-nine thousand seven hundred and forty-one dollars and sixty-nine cents (\$729,741 69).

| | |
|---|--------------------|
| The indebtedness of the General Fund on the 1st of December, 1862. was..... | \$540,213 70 |
| December 1, 1863, it is, according to the Controller's Report..... | 210,620 40 |
| | <hr/> \$329,593 30 |

Thus showing that the floating debt of the State has been lessened three hundred and twenty-nine thousand five hundred ninety-three dollars and thirty cents (\$329,593 30).

The valuation of real and personal property in the State for the year ending the last day of February, eighteen hundred and fifty-four, is in

round numbers one hundred and seventy-four millions of dollars, (\$174,000,000.) an increase of eleven millions (\$11,000,000) over the year previous.

The gratifying decrease in the floating indebtedness of the State during the last two years is due, in part, to the fact that no outside expenditures have been contracted—it having been the steady aim of the Administration to keep the expenses of the State within the limits contemplated by the annual appropriations of the Legislature. Still, however much an Administration may be imbued with a spirit of economy, it rests chiefly with the Legislative branch of the government whether or not such a disposition can be successfully cultivated; and too much care cannot be bestowed in discussing the policy or necessity of unusual appropriations, which a wise and comprehensive legislation may suggest.

In public affairs, as in private transactions, the policy that grasps the present and wisely anticipates the future is the one that should prevail; and the same combination of sagacity and prudence, with judicious expenditure, that conducts individual enterprises to a successful issue, should be the governing rule that controls legislative action.

STATE CAPITOL.

The tax of five cents on the hundred dollars imposed by the last Legislature for the construction of a State Capitol building will yield, with a deduction of twenty-five (25) per cent for cost of collection and delinquencies, about sixty-five thousand dollars (\$65,000.) The work on the building was renewed in June, and a view of its present condition by the members of the present Legislature will convince them that the Capitol Commissioners have exercised a watchful care in expending the moneys entrusted to their hands.

The expenditures to December first, eighteen hundred and sixty-three, have been :

| | |
|--|-------------|
| For labor and services rendered, including salary of Architect | \$26,597 08 |
| For materials received on contracts..... | 24,341 65 |
| For materials not contracted for, lumber, hardware, etc.... | 2,431 92 |
| Total expenditure to date | \$53,370 65 |

This leaves about twelve thousand dollars (\$12,000) unexpended of the appropriation. There having been but small receipts from that tax until within a month, the Commissioners were compelled to proceed cautiously, and were actuated by a desire to keep within rather than go beyond the limits allowed.

This method of constructing a State Capitol will be a long and tedious one, and, at best, the yearly advance it will make will not keep pace with the people's expectations. The building should be finished as early as possible, and the means provided to insure that result.

In a young State like our own, poor in comparison to what its future promises, the conviction has become strong in my mind that coming generations should share with the present in the erection of any great and permanent public building. And while thus calling upon the future

for aid, an edifice should be constructed that will be satisfactory to the grandeur of the coming time. In all new countries the first generation has much to overcome, which inevitably results largely to the benefit of those that follow after; and the older a growing State becomes, the more ability it has to bear burdens that have been lightened by the sacrifices of its earlier years.

The State Capitol of California, that is to endure for generations, should be a structure that the future will be proud of, and surrounded by grounds that should extend into the dimensions of an ample park. Such grounds can now be had at a comparatively nominal sum, and the peculiar salubrity of our climate would, in a few years, surround the edifice with a beauty and luxuriousness that no other Capitol in the country could boast.

I would, therefore, recommend that, consulting the future, with due consideration for the present, a law should be passed, and submitted to the people of the State, providing for the issuance of bonds for State Capitol purposes, sufficient to complete the work in the manner proposed.

CHARITABLE INSTITUTIONS.

The Legislature of last winter, aside from the appropriation of one hundred and eighty-six thousand dollars (\$186,000) to carry on the Insane Asylum, the State Prison, Reform School, and Deaf and Dumb Asylum, donated to institutions and asylums not connected with the State the sum of thirty thousand dollars (\$30,000). From the Managers of these institutions you will, undoubtedly, receive detailed reports as to the expenditure of the sums with which they were intrusted.

INSANE ASYLUM.

The annual reports of the Directors, the Resident Physician, and the Visiting Physicians, of the State Insane Asylum, possess a peculiar interest to all who sympathize with that class of unfortunates for whose treatment and care this beneficent institution is intended.

The Directors, named by the Act of April twenty-fifth, eighteen hundred and sixty-three, organized on the fifth of May, by electing G. A. Shurtleff, President, and at once entered upon the duties imposed.

In this, as in other institutions of the State, much embarrassment is felt in its financial department. The Directors, not being able to realize their monthly appropriations, have sold the State Warrants, from time to time, for cash; in this way receiving but about three fourths of their face value. To remedy this evil, they propose a special Asylum Tax, to be devoted exclusively to the wants of that institution; but the same action that shall wisely provide sufficient revenue for payments in cash of the current expenditures of the State, will include the appropriations for the support of the Asylum.

The Resident Physician's Report to the Directors gives the statistics of the Asylum from December first, eighteen hundred and sixty-two, to October twentieth, eighteen hundred and sixty-three, a portion of which is subjoined:

| | |
|--|-----|
| Number of patients, Dec 1, 1862 | 499 |
| Number of patients, Oct. 20, 1863..... | 583 |
| Patients received, Dec. 1, 1862, to Oct. 20, 1863. | 252 |
| Patients discharged, Dec 1, 1862, to Oct. 20, 1863..... | 168 |
| Discharges, (cured,) Dec 1, 1862, to Oct. 20, 1863. | 92 |
| Discharges, (convalescent,) Dec 1, 1862, to Oct. 20, 1863..... | 13 |

Of the seven hundred and fifty-one patients under treatment during the year, it is estimated by the Resident Physician, that but two hundred and ninety-one are cases that are usually regarded as hopeful. The overcrowded state of the Asylum, and the scarcity of attendants, are commented upon in the reports of this Institution

A full and interesting description is also given by the Resident Physician, of his late visit to the various Insane Asylums and Hospitals in the East; he having been commissioned by the Board of Directors to examine kindred institutions of other States, for the purpose of gathering facts as to their management, and plans and specifications relating to construction. This was done, that the latest improvements in the erection of Asylums, and in the treatment of insane persons, might be introduced, as far as possible, in the proposed buildings contemplated by the Act of last winter.

STATE PRISON.

The affairs of this institution are in as favorable a condition as could be anticipated from the constant embarrassment its officers have met with in their financial department. Since taking possession, in January, eighteen hundred and sixty-two, the Prison treasury has been, on an average, a year behind in its receipts of cash for their annual appropriations. This has induced an increase in their expenditure, from the fact of being obliged to contract for supplies at higher prices than would have been demanded on the strength of cash payments. Notwithstanding these drawbacks, and the additional obligation imposed by the Legislature last winter, to pay interest out of the Prison Fund on liabilities that were overdue, the Directors find that their scale of expenditures have been about equal to the appropriations.

As required by law, the Directors will submit their annual report to the Legislature, which will give the details of their management of its affairs, and the general condition of the prisoners and Prison

Various improvements of an absolutely necessary character have been made during the year in and about the Prison, which have been paid for out of the annual appropriation. To place the institution, however, upon a proper footing, a greatly increased expenditure is necessary, which cannot be done without a special appropriation for the purpose. The necessity for these additions to the present capacity and strength of the prisoners' cells is just as apparent as when, a year ago, I made a recommendation to your predecessors to authorize the construction of further buildings. My convictions, urged at that time, regarding the confinement and treatment of the State prisoners, have been strengthened with the experience I have since had, and I commend the subject to your earnest consideration.

| | |
|--|-----|
| Number of Prisoners December 1, 1862 | 573 |
| Number of Prisoners December 1, 1863 | 545 |
| Pardons during Year..... | 21 |

REPORT OF THE ATTORNEY-GENERAL.

This report sets forth the proceedings of the year connected with the Attorney-General's office, and the statistics of that department.

The recommendations made by him, and his reasons for submitting them, are treated in detail, and an inspection will show them worthy your careful consideration.

CODIFYING THE LAWS.

I would again, as I have once before, urge upon your attention the absolute necessity of a thorough revision and codification of the laws of California.

Citizens not versed by constant familiarity with their contents, and desirous of investigating the laws, stand aghast as they survey the fourteen ponderous tomes that constitute the statutes of this youthful State, and young aspirants to professional fame tremble as they cross the threshold that leads into this intricate abyss.

An Act authorizing the appointment of a Commission to attend to this important duty would be hailed with satisfaction by the professional students of California Law, and by all others who may have occasion to investigate the statutes.

GEOLOGICAL SURVEY.

According to the Report of the State Geologist, he is steadily and industriously prosecuting his important and interesting labors. In it he indicates what is necessary to be done in order to continue the survey, and to perfect what has already been done. The contributions to science, and the immediate and prospective advantages to our State, which it is believed will follow a publication of the forthcoming volumes, will prove the wisdom of creating the office of State Geologist and of continuing its existence.

A visit to the Geological Rooms in San Francisco will show that the work has been intrusted to skilful and effective hands, and I commit the continuance of the survey and the services of Professor Whitney to your intelligent consideration.

MINES AND MINING.

The question of taxing the mines by the General Government, which was agitated at the assembling of the last Legislature, seems to have subsided, and it is to be hoped will never be revived.

The past year's experience continues to show the inexhaustible character of our mineral wealth. In relation to the mining interests of the State, I have nothing to add to or take from my views as expressed in my last Annual Message. It is an interest that should always be fostered as the foundation of our prosperity.

SURVEYOR-GENERAL'S REPORT.

The voluminous Report of the Surveyor-General gives a careful and comprehensive exhibit of all the interests connected with his office and the State Land Office. His statistical tables present the condition of the various grants of land made to the State by Congress, for School and other purposes, and the amount of sales under each grant, and the number of acres remaining unsold.

Aside from the Tide Lands that belong to the State, the quantity of which cannot be accurately ascertained, California has become possessed, under the provisions of various grants, of the following amount of land :

| | |
|---|------------------|
| Grant of 16th and 36th Sections, say..... | 6,755,000 |
| Grant of Swamp Lands..... | 1,500,000 |
| Grant for Internal Improvements..... | 500,000 |
| Grant for a Seminary of Learning..... | 46,080 |
| Grant for Public Buildings..... | 6,400 |
| Grant for Agricultural College..... | 125,000 |
| Total Acres..... | 8,932,480 |

Of these lands there have been disposed of, up to November twentieth, eighteen hundred and sixty-three, the following amounts :

| | |
|---|---------------------|
| Of School Lands, (500,000 acres grant)..... | 498,956.83 |
| Of School Lands, (16th and 36th Sections)..... | 399,288.66 |
| Of Seminary Lands..... | 42,526.82 |
| Of Public Building Lands..... | 5,618.82 |
| Land Warrants under Act of April 23, 1858..... | 22,412.00 |
| Land Warrants under Act of April 18, 1859 | 61,600.00 |
| Swamp and Overflowed Lands..... | 687,768.42 |
| Tide Lands..... | 3,732.04 |
| Total acres disposed of..... | 1,721,904.59 |

Thus it will be seen that, large as the sales have been up to this time, there are yet more than seven millions (7,000,000) of acres of Public Lands still to be disposed of. This vast interest of our State is one that grows in importance from year to year, and as the interior becomes developed by population and labor, the sales of Public Lands will proportionately increase.

A great portion of the Surveyor-General's Report this year is taken up with a detailed history of the progress of the

EASTERN BOUNDARY SURVEY.

In view of the repeated questions of jurisdiction that were brought to my notice during the first year of the present Administration, and which

were, last winter, the subject of a Special Message to the Legislature I recommended in my Annual Message, the passage of a law appointing Commissioners to act in conjunction with the authorities of Nevada Territory, in determining the location of the boundary line as recited in the Constitution of our State.

The Act of April twenty-seventh, eighteen hundred and sixty-three, was passed, authorizing and empowering the Surveyor-General of California to run, measure, and mark the line, and twenty-five thousand dollars (\$25,000) set apart in the State Treasury to meet the expenses of the survey. As soon as the season would admit, the Surveyor-General commenced his work, and kept it up until driven from the line by excessive cold weather. The details of his work will be communicated to your honorable bodies by the Surveyor-General, as required in the Act under which he made the survey. The line, as run thus far, places Honey Lake Valley, the scene of principal disturbance growing out of disputed jurisdiction, within the limits of California. On the other hand, the flourishing Town of Aurora, and some of the better portions of Mono County, are found by this new survey to be within the Territory of Nevada.

To prevent future embarrassing questions arising from a state of uncertainty in the boundary, it is desirable that the survey should be completed as early as possible; and to do this, a further appropriation will be needed. When the line shall have been run its entire length, and been accepted by this State, by Nevada, and by the General Government, we shall have a just claim for reimbursement of expenditures incurred in commencing and completing the work.

COMMON SCHOOLS.

At the date of my last Annual Message there had been purchased by the Board of Examiners, under the Act of March sixteen, eighteen hundred and fifty-nine, bonds of the civil funded debt of the State, to the amount of one hundred and twenty thousand dollars, (\$120,000;) and since that time there have been purchased additional bonds to the amount of forty-one thousand five hundred dollars, (\$41,500.) Total amount purchased and now held in trust by the Treasurer of State, under that Act, one hundred and sixty-one thousand five hundred dollars, (\$161,500.)

At that date there was a sum of four hundred and seventy-five thousand five hundred and twenty dollars (\$475,520) due from the General Fund of the State to the School Fund, which had, under previous Administrations, been received for School Lands, and diverted from its sacred destination to pay the ordinary claims upon the Treasury. I then indicated the palpable injustice of such a state of things, and advised the passage of a law whereby all bonds of the State, redeemed thereafter, instead of being cancelled, should be transferred to the School Fund until the above amount was realized. Such a law was passed, and approved April fourteenth, eighteen hundred and sixty-three.

Under the provisions of that Act there have since been purchased and placed in the hands of the State Treasurer bonds to the amount of one hundred and seven thousand dollars, (\$107,000.) This gives an aggregate of two hundred and sixty-eight thousand five hundred dollars (\$268,500) of seven per cent State bonds, to the credit of the School Fund, while at the commencement of the present Administration there was but seventy-nine thousand dollars, (\$79,000.) By that Act this Fund

will be from time to time augmented. until there is a further addition of three hundred and sixty-eight thousand five hundred and twenty dollars (\$368,520) added to it, in interest paying bonds

The School Fund is placed upon a legitimate basis, and it is not probable that the moneys received from the sale of School Lands will again be diverted from their proper depository. As the railroads that are being built in different portions of the State extend into the interior, the demand for these School Lands will increase, until the Fund realized from their sale will swell into proportions that will make it a credit to the enlightenment of our time; and the annual interest derived from the Fund will take the place of the additional taxation that must until then be resorted to to meet the wants of our Common Schools. Until this result is attained, it will be a privilege, as well as a duty, for our people to tax themselves liberally for the support of those institutions which serve as the base and the chief corner stone of republican liberty.

Had the system of Common School education that prevails in our Northern States found an early entrance and been nourished into life in those States that are now at war with the Union, the civilization of the nineteenth century would never have been shocked by the rebellion that now disgraces its annals. At the North the principle of education is the governing law that binds into a solid phalanx that proud array of free communities. At the South ignorance rears on every side its hideous front, until the masses are steeped in the degradation that has for years been preparing by their unprincipled leaders. The North is united in battling for a principle which education has taught them to be the very life of their institutions. The South will become assimilated to the intelligence and loyalty of the Union as soon as the result of our victories shall have dispersed the cloud of ignorance that has, with them, overshadowed the causes and consequences of the unnatural contest.

Let us then, as Californians, take these lessons to ourselves. and, rather than allow our Schools to languish, take every legitimate means to elevate their standard and insure their success.

As will be seen by the Report of the Superintendent of Public Instruction, there is a wide field of usefulness that has hitherto been but superficially cultivated. He finds the number of white children in this State, between four and eighteen years of age, to be seventy-eight thousand and fifty-five; under four years of age, thirty-nine thousand and eighty-one; white children of all ages attending Public Schools, twenty-nine thousand four hundred and sixteen; attending Private Schools, nine thousand one hundred and fifty-eight. This leaves about forty thousand children between four and eighteen who attend no School. The average period in which Schools have been kept during the School year of ten months, is five and four tenths months. The average daily per centage of attendance on the whole number of children between four and eighteen, is twenty-five per cent. Amount received from all sources for support of Schools this year is five hundred and eighty-one thousand and fifty-five dollars and seventy seven cents (\$581,055 77)

REPORT OF THE SECRETARY OF STATE.

The report of this officer gives a detailed statement of the affairs in his department, with such recommendations as his experience has suggested.

I respectfully refer them to your consideration.

AGRICULTURE AND ITS INTERESTS.

The appropriations by the last Legislature for the benefit of the various Agricultural Societies were of the most liberal character. For the use of the State and parent institution, the sum of four thousand dollars (\$4,000) was appropriated; for the four District Societies, the sum of eight thousand dollars (\$8,000), and for each County Agricultural and Mechanical Society, the sum of five hundred dollars (\$500.) These appropriations were made with the condition that each society should raise an equal amount, hold a Fair, and pay it out in premiums to exhibitors. But two counties in the State—Humboldt and Santa Clara—have applied for the five hundred dollar (\$500) appropriation. Warrants have been drawn for those and the District Societies, except for the San Francisco Bay District, which held no Fair this year. The interest that always centers around the State Fair was this year enhanced by the entry of various products to compete for the State premiums offered by the Legislature of eighteen hundred and sixty-two. Of these, the Board of Judges, after a careful examination of the specimens exhibited, and of the evidences of their growth during the year, awarded premiums for cotton plantation, turpentine, resin, tobacco, and tar. In the production of turpentine, resin, and tar, developed and stimulated as it no doubt has been by the offering of these premiums, the State will reap an immediate reward. Already large tracts of pine lands have been taken up for its manufacture, local rules regulating the cutting and tapping of trees have been adopted, and a large amount of capital has been invested to open up this new branch of California industry. The cultivation of tobacco, too, is receiving a good deal of attention, and will become in a few years an important staple of our State. Hops of a superior quality have been raised, and were exhibited at the late Fair, but not in quantities sufficient to obtain a premium. In sugar, hemp, coffee, and other articles, experiments are being tried which promise ultimately to be successful. The culture of cotton has been commenced in various places, with varied success—one field of seventy acres, it is believed, would have furnished an average yield had not an early frost blighted the opening bolls. These brief statistics will indicate to you the beneficial results that have followed the action of your predecessors in their desire to foster the agricultural and manufacturing interests of our State. To the thoughtful citizen of California, who indulges in retrospective glances over a period of fifteen years, there is no subject that fills his mind with so much pleasure as the advancement we have made in the science of agriculture. From a State entirely at the mercy of others for the comforts and necessities of life, we have risen to an independent position, and in some productions take precedence of all other States in our annual aggregate yield. If we have attained these ends during a decade and a half, what glowing results may we not anticipate at the expiration of another fifteen years? We may then find the floods that are now the subject of annual dread subservient to the flowing and draining of rice plantations. We may see vast fields of cotton advanced to early maturity, and opening their white bolls to the genial rays of our September suns. As we now lead all other States in the production of wine and barley, we may then rival Louisiana in the production of sugar, Virginia in tobacco, and Kentucky in hemp. And while the trade and staples of North Carolina are languishing under the blighting influence of secession, the mountaineers of California may snatch from her grasp the distinction of being the chief tar State.

MANUFACTURES.

The law of eighteen hundred and sixty-two is intended to foster, not only agriculture, but manufactures. At the State Fair of this year, premiums were awarded for the manufacture and exportation of blankets, woolen drawers and undershirts, and for the manufacture of boots and shoes, printing paper, and glass bottles. Efforts are being made, on a large scale, to introduce the manufacture of raw silk into the State, and it is anticipated by one of the parties engaged in the experiment, that in a few years, with ordinary success in the cultivation of his mulberry trees, he will be able to claim the premium of two thousand dollars for the production of the first thousand pounds of silk.

MIGRATION AND EMIGRATION.

During the year just passed, the people of California have exhibited the same energy of character and indomitable perseverance which in former years have given the State a standing and a name among the proudest commonwealths of the nation. The emigration that hastened to her shores from other States has been of a class that is calculated to add stability to our homes and permanency to our institutions. But each year, and in this especially, we have suffered from the peculiar excitements that follow the discovery, or the imagined discovery, of new regions of wealth. Our population is extended over a vast territory, many with no tie to bind them to any particular spot, and no ambition to surround themselves with the endearing associations of a permanent home. They thus become migratory in their character, and with an impulsive energy that belongs to a Californian's life, they sever the weak relations that have for a few months, perhaps, bound them to one locality, and seek a distant region for the employment of their enterprise. This has been, and will continue to be, a serious obstacle in the advancement of our vigorous State, and will only be obviated when lines of internal improvement extend into the neighboring Territories, upon which our citizens can be transported in a few hours to the scenes of these fabled discoveries, and in a few hours more return to find the prospects among their own hills and mountains as promising as the new fields they have so lately visited. Now the transit, and the preparation for it, occupies weeks and months, and when the removal is accomplished, there is no local attachment to induce, with exhausted means, the wanderer to return.

It is for reasons like these that the assessable property of the State has not increased to the extent anticipated by your predecessors.

PACIFIC RAILROAD.

To this great work the last Legislature made an appropriation creditable to its sagacity and the enterprise of the State. Although the benefit thus bestowed is not yet available, still the construction of the road is progressing as rapidly as could be expected under the disturbed condition of the country and the consequent want of confidence on the part of capitalists; but its progress is not such as the interests of the State require.

The published reports and surveys show that there are no natural obstacles to prevent the completion of the road to the State line within two years. All that is required to insure this desirable result is the

possession of pecuniary means. The want of these arises, as well as can be ascertained, from no lack of confidence on the part of the people of our own State, but because there is not that surplus capital in the hands of individuals to loan, and stock subscriptions do not commend themselves where dividends may not be early anticipated, and where loans are obtainable that command an interest of about two per cent per month.

Capitalists abroad, independent of the want of confidence induced by the unsettled condition of the country, are naturally timid about investing their means in a work of its magnitude so far from their immediate supervision, and before such an amount of work has been done as to fully demonstrate it as a reliable security. But with all these disadvantages, the Directors of the railroad are confident of completing the first fifty miles within the time required by the Act of Congress. It is to be regretted that much more may not be expected with entire confidence. The aid of Congress is not soon enough available to insure that rapid progress which the amount appropriated would otherwise secure. When the work is completed to the State line, its chiefest barriers will have been removed, for beyond that point there is no difficulty in grading the road, and its progress thence eastwardly is only a question of how fast the track can be placed.

In considering the importance of this road to the State and nation, it is a source of unspeakable regret that it should be delayed in any particular longer than the physical obstacles to be overcome compel. It will be the great highway of the commercial world, and its completion will give to our State population to develop its resources, trade to build up its cities, and unfailing markets for all its productions; indeed, it insures to California a future of prosperous greatness that bewilders the imagination.

In a military point of view, it is also of transcendent importance, for it will secure us from all foreign aggression by the facility with which troops can be concentrated here to overwhelm any force that could possibly be brought against us. The security it will give in this respect alone will be of incalculable value to our State and to the nation itself. And when the work shall be entirely completed and in use, it will become such a necessity to the vast trade of the world that its whole commerce will be interested in its safety, and, as a consequence, desire to maintain peaceful relations with the nation that controls it.

No more could the commercial world dispense with the use of this road when once their relations have been regulated and accommodated by it, than could the West dispense with the great lakes and the Erie Canal, or the Northwest with the Mississippi River.

It is, then, a military as well as a commercial necessity; and whether in peace or in war, its rapid construction is a question that commends itself in forcible terms to every citizen of California. The inauguration of the work in a sister Territory has recently been, in an especial manner, the subject of congratulatory dispatches from the highest National and State officials; and henceforth a spirit of generous emulation will be awakened, which will give to our State an opportunity to add to her reputation for enterprise, which she has enjoyed so long in this the most enterprising age the world has ever seen.

PEACE OF THE STATE.

It is a noble commentary upon the peacefulness of our inhabitants,

that there have been so few outbreaks of a concerted character to disturb the State during the year eighteen hundred and sixty-three. Peopled as she is by representatives from every nationality on earth, her internal affairs have been locally administered with commendable order, and with but slight and temporary deviation from the strict rule of precedent and of law.

The judicial tribunals have heard with patience, and decided with justice, the crimes that have come before them, and as a general thing, the people have learned that it is better to place their dependence upon regularly organized Courts, than to resort to the summary proceedings that too often prevailed in the earlier history of the State.

STATE LIBRARY

According to the Report of the Secretary of State, there has been received for the Library Fund during the last year, twenty-three thousand four hundred and fifty-seven dollars and sixty-seven cents (\$23,457 67)

The State Librarian informs me that the number of books now on hand in the Library is twenty-six thousand four hundred and thirty-four. Number added during the year, four thousand one hundred and fifty-six, of which, three thousand eight hundred and seventy-eight volumes were purchased.

The additions of this year have been mostly of a miscellaneous character, and embrace works of a rare and important nature. The Library is now on a most substantial footing, and the funds at its command, and that will come in for its use, may make it the most desirable Library in the country.

INDIAN AFFAIRS.

The year that is drawing to a close, like most of those which have preceded it in the history of our State, has been no exception in the matter of Indian hostilities. In various districts the tribes that have heretofore given most trouble have this year committed their usual depredations, and in some localities the most brutal murders have been the result of their savage incursions.

This state of things will continue until the Indian affairs of California are placed upon a different basis. The conclusions to which I arrived in calling attention to this subject a year ago, I have seen no reason to change, and when the General Government shall have conquered a peace from the white rebels who are threatening its existence, it will have ample means to devote to the consideration of their copper colored allies that infest the skirts and borders of our civilization.

From General Wright, the Commander of the Department of the Pacific, I have invariably received all the aid which his limited means would allow in the subduing of these hostile tribes. But in a field so vast, and a frontier so extended, no amount of watchfulness, with a few thousand troops, would avail to guard at all times every threatened point.

CALIFORNIA VOLUNTEERS.

The immense scope of territory that is occupied and protected by the volunteers of this State in the service of the United States, is sufficient evidence of the efficiency with which they have been organized. Over the vast plains of Arizona and New Mexico, to the confines of Texas,

our columns have pushed their way, overcoming all obstacles, whether partaking of the fatigues of the desert, the presence of hostile Indians, or the threatening aspect of domestic enemies.

Their contiguity to the Mexican boundary has doubtless done much to keep down that spirit of sedition that the character of the emigration from California and from the East to Sonora was calculated to foster.

Over the plains, to the great valley of the Salt Lake, other columns have found their way, giving protection to the Overland Route—chastising the Indians wherever found in hostility, and giving a permanency to the rising strength of that region, and an immunity from Indian depredations which they never before enjoyed. In various portions of our own State, from the borders of Oregon to its extreme Southern limit, other companies and detachments of California Volunteers are stationed to protect our frontiers, and to hold themselves in readiness for any emergency that may arise in their neighborhood.

The suggestions which were indicated in my last Annual Message, on the propriety of allowing our volunteers, in whatever field of duty they were ordered, to exercise the elective franchise, were happily inaugurated by the last Legislature; and it is a pleasing reflection that the law thus passed added thousands of Union votes at the late elections.

THE SANITARY FUND.

California, as a State, by her remote position from the theatre of war has not been able, to any great extent, to place her volunteers into the active field where so much glory has been won by her sister States of the Union. In order, however, to vindicate her loyalty, and to assert in unmistakable terms the veneration she feels for the free institutions that have given her birth—to uphold and strengthen the hardy veterans in those distant States who, whether in victory or in disaster, present an unflinching front to the traitor hordes who would destroy those institutions—she has had reserved for her another and a peculiar duty. Following closely in the rear of our marching armies, and hovering oftentimes in dangerous proximity to the fierce encounter of the battling hosts, there is an organized commission that watches the changing tide of events with unflinching courage and with untiring anxiety. When the battle ends, the work of this organization begins; and terrible as are its details, the grandeur of its operations has become the theme of the nation's praise. The United States Sanitary Commission is one of the features of this rebellion. While its objects are of the most peaceful and Christian character, it never shrinks from the dread realities with which it is constantly surrounded. It is a moral adjunct that follows and tempers the exciting scenes that have created its necessity, and the soldier watches the floating emblem of its presence with a consciousness that his fortunes are overlooked with zealous and unceasing care.

While to the other States of the Union is accorded the glorious privilege of sending their quotas of volunteers into the field, the honor has been given to California of being the foremost State in sustaining the sometimes depressed fortunes of that organization which has so earnestly, under all circumstances, pursued its work. And whether our minds wander among the sacred scenes that have been baptized in the blood of the brave Army of the Potomac, or follow the noble hosts that are gradually but surely restoring to the Union the South and the Southwest, we cannot doubt that during the long watches of the night, from thousands of prostrate forms, lying in soothed repose among the

hospitals of the Sanitary Commission, there rises the heartfelt invocation that God will prosper the Golden State.

She has done—she is doing—a memorable work; and the armies of the Union may be assured that her efforts will not cease as long as the fearful incentive remains to inspire her generous instincts.

STATE MILITIA.

From the Report of the Adjutant-General, it appears that the organized militia of the State comprises at this time one division, six brigades, five regiments, four battalions, and sixty-two companies unattached; forming in the aggregate a force of eight thousand four hundred and eighty officers and men. This number is made up of companies as follows:

| | |
|---------------------------------|-----|
| Infantry Companies..... | 95 |
| Cavalry Companies..... | 15 |
| Riflemen Companies..... | 8 |
| Artillery Companies..... | 3 |
| Sappers and Miners Company..... | 1 |
| Total..... | 122 |

The organizations during the year have been:

| | |
|--------------------------|----|
| Infantry Companies..... | 41 |
| Cavalry Companies..... | 11 |
| Riflemen Companies..... | 4 |
| Artillery Companies..... | 2 |
| Total..... | 58 |

Under the Act of April twenty-fifth, eighteen hundred and sixty-three, amendatory of and supplemental to the Militia Law of eighteen hundred and sixty-two, there has been held one Camp of Instruction and four Brigade Encampments. The Adjutant-General estimates the cost of these Encampments to the State at one hundred and forty thousand dollars, (\$140,000), exclusive of camp equipage, which the State now owns, and which, with care, may be used for the same purpose for years. This estimate gives an expenditure for transportation, pay, and subsistence, of thirty-five dollars to the man, or three and a half dollars (\$3 50) per day for the ten days they were in camp. For details of these expenditures and their probable results your attention is called to the thorough exposition of the Adjutant-General.

Independent of their necessary cost, the policy of maintaining Brigade Encampments may be questioned, on the ground that they may seriously interfere with the willingness of our citizens to enter the volunteer force, knowing that they will be subjected to the loss of time

from their ordinary avocations, in attending to this duty as required by law. Men can devote the necessary time for company drill, and are willing to do so, while the attendance upon a distant encampment might involve a more serious sacrifice than they would voluntarily incur.

The last Legislature provided for the support of armories for the different companies a sum not exceeding fifty dollars (\$50) per month; for each regiment, one hundred and fifty dollars (\$150) per month; and for light batteries, not less than two hundred and fifty dollars (\$250) per month. In the aggregate these appropriations will be found to swell to a large and burdensome amount. This should be remedied. Our expenditures for military purposes are in any event necessarily large, and in view of the importance of sustaining the militia upon a sound and permanent footing, there is an especial reason that the appropriations therefor should be made in a spirit of wise and judicious economy. This term cannot be applied to the experience of the last year, and I would particularly urge you to consider what may or may not be required to maintain in an efficient manner, and at the same time to increase the militia organizations of our State.

In serviceable arms and equipments for the companies already formed the State is deficient. While the question of supply was under discussion in the Legislature last winter, and a proposition was before it for arming the State, I was informed by the Secretary of War that arms should be forwarded to this State to the extent of five field batteries (rifled guns), nineteen thousand improved muskets, three thousand sets cavalry arms.

This information was received from the War Department in a telegraphic dispatch, on the twenty-fifth of March, eighteen hundred and sixty-three, and its general features were communicated to the Senate on that day. The State has received since that period three thousand muskets, six hundred pistols, and a few old style rifles. As the number of our organized militia increases, the necessity of having a full supply of arms becomes more and more apparent, and I would call the attention of the Legislature once more to this important question.

A militia, well organized and equipped, is a reliable means of defence, and the cheapest that can be devised; and while it has no tendency to overawe or endanger the liberties of a State, it will always prove in times of great danger a more powerful force than any regular one that could be maintained, or that safety would admit. A few millions of dollars, equal only to the cost of supporting a few regiments of regular troops, appropriated each year by the General Government, for a thorough development of the militia system, would secure to it a force sufficient for any emergency. There is a well founded impression existing, that in the future the United States must have a strong military force to rely upon, but I trust the nation will never fall into the folly of maintaining a large standing army.

Neglected as was our militia force previous to the breaking out of the present war, we have still seen that the people have been equal to a more trying emergency than can with reason be expected to occur again. Never dangerous, and always powerful, let our dependence rest chiefly upon this arm of power for protection. I do not apprehend that, when the rebellion is deprived of its large armies and usurping Government, there will be a necessity to keep up a large force in the districts that have been the scene of strife. Guerrilla bands can only prey upon the people for whom they profess friendship, and upon their heads the punishment will fall. This is a strong guarantee against that class of

marauders, who, when their usurping Government, with its large armies, has disappeared, would degenerate into mere robbers and public plunderers, and become amenable to the civil authorities.

HARBOR DEFENCES.

It is with peculiar gratification that I have to record the prompt action of the War and Navy Departments in providing means of defence for the Harbor of San Francisco. To the last Legislature I recommended that "earnest representations should be made to the National Government for complete protection to the Harbor of San Francisco." Those representations were made, and already a first-class iron-clad vessel has been built, and has arrived in that harbor. Owing, however, to an unforeseen disaster, there will be much necessary delay in reconstructing the vessel for active operations. Meanwhile, competent engineers have made a thorough survey of the shore lines, between the city and the Golden Gate, and active operations are already commenced for erecting additional fortifications and water batteries.

THE NATIONAL CURRENCY.

The subject of the currency of the country at this time engages much of the public attention, and is one that addresses itself to the patriotism of the people as well as to their immediate financial interests. In its adherence to gold and silver as the standard of trade, California stands alone among the States of this Union, and forms an exception to the general business policy of the civilized world. Occupying this anomalous attitude, besides being a gold producing State, and interested in it as an article of trade and export, it may well be a question of deep consideration whether her position is wise and beneficial.

There is in circulation in the Atlantic States hundreds of millions of paper currency, issued under the sanction of Congress, and accepted by the people. This vast issue is stimulating the productive energies, and developing the wealth of those States, until, even with the enormous burdens of the war, the loyal portion of the country is actually more prosperous than ever before, in all the material evidences of wealth.

Here, in California, the enterprise that would develop our unbounded resources, is checked and repressed for want of capital, while the necessary amount to supply the deficiency, is waiting at our doors to have its entrance invited and its standard of value adopted. To my mind this condition of affairs is enough of itself to make us pause and consider our position; but the higher, holier, and nobler question of patriotism is also involved.

In a time the most trying, when the salvation of the country was at stake, Congress, in the exercise of its constitutional power of supreme control over the currency of the land, has by solemn enactments decreed what shall and what shall not be a legal tender for the payment of debts; and under the provisions of those enactments has issued promissory bills under the name of Legal Tender Notes, declaring them lawful money in payment of all debts, public and private, within the United States, except duties on imports and interest on the Public Debt.

It was an act of wise and urgent necessity on the part of the Government, providing, as it did, means of suppressing the insurrection that was taxing all its resources. Its wisdom is evident, because it appealed, not in vain, to the loyalty of the people to maintain the credit of the

country, and rendered a draft on the present and future generations immediately available. Had the people discredited and refused to receive the currency so provided, it is not difficult to imagine what might have been the disastrous consequences.

Shall we, as a community, permit ourselves apparently to occupy a position of hostility to the General Government, whose honor and fidelity are assailed at home by domestic enemies, and watched from abroad by jealous and threatening powers? Shall we not rather do all we can to sustain her as she stands, face to face with the world, armed in the splendid panoply of her credit, faith, and integrity—a credit never equalled, a faith never violated, and an integrity above suspicion. The power she has displayed, and the means she has developed to uphold that power, challenge at once the fear, the respect, and the admiration of her foes, whether open or covert.

Is it not a question of paramount importance how we shall treat the currency established by the United States, and one worthy the duty we owe to the parent Government, and that we should take a stand such as we should desire to occupy in history? Let us determine then by our action in no degree to embarrass the great central power, or do ought to impair public confidence in National affairs. Let no considerations of temporary advantage, or desire to avoid temporary inconvenience, sway our actions, or turn us from that course which duty and patriotism may point out.

If there be a doubt of the course for us to pursue, whether we shall or shall not favor the general circulation of United States Legal Tender Notes, let us give the benefit of that doubt to the side of our country. Let us, while faithfully meeting obligations already incurred, provide that in the future the State shall receive into and pay out of her Treasury, without distinction, the legal currency of the country.

FEDERAL RELATIONS.

For nearly three years our National Government has been engaged in efforts to suppress the most gigantic rebellion known to history, either ancient or modern. At the adjournment of the last Legislature, and for some time subsequent, there was a spirit of gloom that seemed to lower over a portion of the North, that invited dissensions and accumulated feelings of distrust. The elections in some of the States indicated an organized opposition to the policy of the Administration, and in some instances the minds of loyal men were appalled at the contemplation of a divided sentiment and a divided purpose. In the midst of all, the aspect of our foreign relations was in many respects doubtful, it being the general belief that some of the European Powers would take advantage of our temporary disasters to urge their threats of Southern recognition, and to lend not only their sympathy but their aid to give Southern pirates an outfit to prey upon our commercial marine. But the victories of July marked a revolution in our affairs. The dissensions that had crept into the loyal States, the doubts that prevailed as to our ultimate success, and the growing fear of foreign intervention, were overcome in the glories of Gettysburg, Vicksburg, and Port Hudson. Other triumphs have since followed the National arms, and the people have spoken in unmistakable tones through the ballot boxes of the loyal States their purpose to support the Administration, and they have evinced in language not to be misunderstood, their detestation of the black conspiracy that has so long threatened the beloved institutions of

their country With this sentiment, strengthened as it will be by every victory that rewards the valor of our troops, the result of the struggle in which we are engaged cannot be doubtful. The patriotism, spirit, and loyalty of the people will soon succeed in restoring where it rightfully belongs the control of every foot of territory within the National boundaries

In view of this result, and the consequent near approach of the period for deciding the questions immediately to arise thereafter, it is well to consider the condition in which the territory so recovered will be left, and the new and important duties that will be imposed thereby upon the National Government. California, in common with all the other States that are contending for the Union, has a deep interest in the settlement of these questions. In their adjustment, the future peace and prosperity of the Republic, and of each State, are involved, and if wisdom and firmness prevail to the very end, the loyal people in the recovered territory will be rescued from the anarchy into which they have been plunged by the rebellion. The future destiny of that portion of our country should be so regulated and established as to secure a thorough and effectual eradication of every system not in harmony with the great principles of liberty, which form the foundation of our republican institutions. In this regard the rebellion is not an unmixed evil, for while its existence is to be deplored, it gives to the loyal States, in the midst of their success, the opportunity and the right to act for the greatest good of the whole country.

The persons who now fill the public offices in the seceded States, are no longer performing, nor are they capable of performing, the duties imposed upon them by the Federal Constitution. By their treason they have incapacitated themselves, as far as the nation is concerned, having publicly renounced their allegiance to the United States, and asserted their sworn fidelity to a new and hostile government, called the "Confederate States of America." They are, in fact, enemies, conducting hostilities against the national power, under an organization foreign to the Constitution under which alone they could claim existence. They have renounced and forfeited all rights, privileges, and powers conferred by the Constitution, and are struggling, with all their energies, to secure and maintain their independence as a new and antagonistic power. Hence, it may be assumed as an unquestionable fact, that in the rebellious territory, State governments, as recognized by the Constitution of the United States, have ceased to exist; and when their treasonable organizations have been obliterated, the people will be without local government, and dependent entirely upon the great central power, which, with its laws extending over all the national boundaries, precludes the idea that the people within their limits could fall back upon those original rights which belong to communities in a state of nature, and attempt to organize governments independent of all others. Such action would be foreign to the Constitution and laws, and would not be recognized by the nation. The importance of considering this state of affairs is better appreciated when we consider the true issues involved in the struggle that convulses our land.

While on our side it is one for the preservation of the Union and the integrity of our national boundaries, it becomes more and more apparent as it develops itself, that the contest is also one of principles, and gigantic as are its proportions, there is in its moral consequences a sublimity and grandeur that overwhelms its material results. It is the never ending strife between freedom and oppression, involving in its re-

sult the question of free government for the civilized world. Our country is the battle ground upon which the decision, which will be a controlling one for a long time to come, is to be made. The issue has been fully made up, and entire victory perching upon either banner can only determine the result. Bearing this in mind, let us deal with things as they are, *untrammelled by precedent*; let our action be in harmony with the issue, so as to secure liberty and Republican Government to all, as the fruits fairly earned by the unprecedented sacrifices we have made to consummate the victory.

State Governments having ceased to exist in the rebellious territory, let such laws be provided for them as shall secure to them for all coming time, liberty, loyalty, and domestic tranquility. Should a loyal State neglect or refuse to maintain a State Government, would it not lapse into an abnormal condition, which would at once require the central power to provide for it in accordance with that provision of the United States Constitution, which guarantees to every State a republican form of government? In what respect, and for what reason, then, should the rebel territory have other treatment? I fail to perceive any. In legislating for the Territories, while treating with the utmost consideration the inhabitants thereof, it is the duty of Congress to consider the welfare of the whole people of the United States, and admit no Territory to become a State, with all the rights and privileges of a member of the Union, until consistent with the safety and political integrity of the nation, and when sound public policy demands its admission.

With this view it might be just and wise that, in re-organizing the rebellious territory, old State lines should be disregarded, and perhaps their very boundaries and names obliterated, so that in the future their loyal inhabitants, taking a just and proper pride in their local institutions and States, shall not unnecessarily suffer the mortification and injury of associating with the history of so vile a rebellion, that was not only against the great principles of liberty and freedom, but sought, with a worse than parricidal hand, and with treachery the most unnatural, the eternal and never to be forgotten infamy of dismemberment and destruction of their common country.

Let the foul blot upon our national escutcheon and upon the humanity of the age be to the greatest possible extent removed forever; and since the fearful contest in which we are engaged is on our part one for the upholding and perpetuating of human liberty and equal rights, let us, upon the field of its successes, erect the proudest evidences of a nation's justice, and its unyielding faithfulness to the principles of a free and equal government. The peace that is to succeed this mighty struggle *must be no ephemeral patching up of old and long discussed feuds* but it must be founded upon those eternal principles of right which will make it as enduring as the magnitude of the contest demands.

I do not urge all these views as the ones that should absolutely control the action of the National Government. New light and new events will be constantly unfolding, and may require a policy in accordance thereto; and a more intimate knowledge of affairs, with the greater wisdom which must be brought to their direction, may view the field with a different eye.

Upon the wisdom of the present Administration I feel that we may rely with unflinching confidence, for never were a people in the most trying times so favored with leaders who combine prudence, patience, sagacity, and justice to an extent that compels the conviction that an overruling power guides and directs them.

I know not what may be the policy of the National Government, but I have never had a doubt but that it would be one true to the principles upon which it is founded. and though it may not be in all respects what each loyal citizen may deem the best, yet, as the last act of my official life, I would invoke the spirit of loyalty that exists in our beloved State, and urge an undivided support of the Administration in its conduct of the war. Its policy will be developed by and in accordance with the swift current of events; but it is equal to the emergency, and is entitled to the unqualified admiration of the whole country. And when the contest is decided, as it will be decided, by the unquestioned triumph of right, we shall be able to look forward to a future of internal peace and public prosperity, and a growth in power and in the elements of greatness that will make the name of American citizen the proudest title that can be conferred upon man.

LELAND STANFORD.

NOTE.—No reports received at the Executive Department from Swamp Land Commissioners, State Reform School, or State Normal School.

APPENDIX
TO
GOVERNOR'S MESSAGE.

LIST OF PARDONS

Granted by Governor Ieland Stanford during the year 1863.

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|--|-------------------|---------------|---------------|---|--|
| 2204..... | James H. Johnson... | Manslaughter..... | S. Bernardino | 3 years. | That there were many mitigating circumstances connected with the case, as set forth in an extended letter from the Hon. Benjamin Hayes. | Hon. Benjamin Hayes, District Judge ; Thomas Higgins, Alexander Hutchinson, Richard N. Snowden |
| | <p>Decision.—Whereas, there are many mitigating circumstances attending this case, as contained in a statement made to me by the Hon. Benjamin Hayes, Presiding Judge ; his previous good character and efficiency as a peace officer, and the belief that his life was in danger at the time he struck the fatal blow ; and, whereas, believing that his long confinement has been fully adequate to the crime committed ; and the officers of the Prison certify to me that his conduct during said imprisonment has been excellent throughout—therefore, let him be pardoned. January 10, 1863.</p> | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--|------------------|------------------|---------------|---------------|---|-------------------------------------|
| 754 | Isaac Adams..... | Grand Larceny... | Sacramento... | 20 years..... | That his sentence was too severe for the crime committed. | All the officers of the Prison..... |
| <p>Decision.—Whereas, the said Adams has already suffered imprisonment for over seven years, and the total value of the stolen property only amounted to the sum of one hundred and fifty dollars, and there being no charge by former or present officers of the State Prison that said Adams has misbehaved himself in any instance, but, on the contrary, they all certify to his excellent conduct while under their charge, and believing his long suffering more than sufficient for the crime committed—therefore, let him be pardoned. January 10, 1863.</p> | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|--------------------|------------------|--------------|---------------|--|--|
| 1612... .. | A. G. Dunn.. | Murder 2d Degree | Tuolumne.... | 20 years..... | That he has already served three years in an exemplary manner, and rendered willing assistance at all times to the officers of the Prison ; also from the excellent reputation he has borne. | Hon. A. M. Crane, Hon. Wm. M. Rider, Hon. Leander Quint, William Bosworth, A. H. Titcomb, P. McGovern, H. W. Cheney, R. K. Weston. |
| Decision.—Whereas, the District Attorney who prosecuted the case testifies to his previous good character, and further states, that “ Some circumstances have recently come to light, connected with the affair, which I think render the Executive clemency a matter of justice and humanity in his case.” The officers of the State Prison, connected with the former and present management, all certify to his uniform excellent conduct ; and the Hon. Wm. M. Rider, Member of Assembly from Sonoma County, informs me that he came to California in 1850 with said Dunn, and was a near neighbor to him for a year afterwards, and formed an excellent opinion of him, and was led to esteem him as a man of irreproachable character and good principles—therefore, let him be pardoned. January 14, 1863. | | | | | | |

LIST OF PARDONS—Continued.

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|-----------------|-------------------|---------------|--------------|--|--|
| 2480..... | John Walsh..... | Manslaughter..... | Sacramento... | 3 years..... | That the said Walsh was tried as an accessory before the fact, and that the evidence indicates that he was not present at the commission of the crime. | Judge J. H. McKune, Hon. E. H. Heacock, Hon. B. B. Redding, Hon. A. A. H. Tuttle, James B. Saul, N. G. Curtis, E. B. Ryan, L. H. Foote, C. H. Grimm, Samuel Cross. |
| <p>DECISION.—Whereas, a petition has been presented for his pardon, signed by Judge John H. McKune, who tried the case; by Judge Robert Robinson, Judge S. Solon Holl, John Bigler, B. B. Redding, William Shattuck, L. H. Foote, E. H. Heacock, and several of the jury in the case, with many other citizens of Sacramento; and whereas it has been represented by Judge McKune that there is much doubt of his guilt—therefore, let the said John Walsh be pardoned. March 17, 1863.</p> | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|-------------------|-------------------|---------------|---------------|--|---|
| 706..... | James McLane..... | Grand Larceny.... | Sacramento... | 10 years..... | That he has been maimed in the performance of his duties at the Prison, and that he will leave the State immediately upon his release. | R. S. Dorr; all the officers of the Prison. |
| <p>Decision.—Whereas, said McLane, since his confinement in the State Prison, has conducted himself in a manner entirely satisfactory to the different officers in charge of the Prison, always assisting the proper authorities in the discharge of their duties, in consequence of which, in a quarrel with a fellow prisoner, he lost an eye and was otherwise badly maimed; and whereas, he has already served out in an exemplary manner eight of the ten years of his sentence, and has within that time given many evidences of a firm determination to reform. Now, therefore, by virtue of the authority in me vested by the Constitution and laws of this State, I hereby pardon the said James McLean, and order upon the receipt of these presents that he be discharged from further custody, upon the express condition that he leaves the State of California before the fifteenth day of April next and never returns: that a violation of this condition shall operate as a forfeiture of all the rights and immunities conferred by these presents. March 25, 1863.</p> | | | | | | |

LIST OF PARDONS—Continued.

| No of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|----------------------|--|--------------------|---------------|---------------|---|--|
| 2334..... | Antonio Rodrigues.. | Grand larceny..... | Los Angeles.. | 10 years..... | That he had always enjoyed the confidence of those who knew him, and the conviction that he is innocent of the crime alleged. | Hon. R. J. Hill, Sheriff Sanchez, F. P. Ramirez, all the officers of the Prison. |
| | <p>Decision.—Whereas, a petition has been presented to me signed by the County Judge and District Attorney, and several of the jury who tried the case, together with the entire delegation of the County of Los Angeles in the Legislature, and many highly respectable citizens of said county, setting forth that since his conviction they entertain serious doubts of his guilt, and asking for his pardon: and whereas, the officers of the Prison certify to the excellent conduct of said Rodrigues during his confinement, and the Hon. R. J. Hill, member of Assembly from Santa Barbara and San Luis Obispo Counties, informs me that he has known said Rodrigues from his youth as a peaceable and good young man, and that he is firm in the belief of his innocence—now, therefore, let him be pardoned.</p> <p>April 6, 1863.</p> | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|---------------------|-------------------|-------------|--------------|---|---|
| 2478..... | John Whittage. | Assault to Murder | Nevada..... | 3 years..... | That he lived in the neighborhood of Alleghany for more than a year after the assault, attempting no concealment, and often relating the circumstances; and that the shooting was done in self defence. | Hon. E. B. Smith; Hon. D. Belden; R. H. Fairghar, County Clerk, N. W. Knowlton, Sheriff, Judge A. C. Niles. |
| <p>DECISION.—Whereas, a petition has been presented to me for his pardon, signed by the Judge and several of the jury who tried the case, and many well known citizens of the County of Nevada, and whereas, it has been represented to me that a strong conviction of his innocence prevails in the community where his trial was had, and that the prosecution of the case was delayed for more than a year after the alleged assault, and until after the death of the defendant's principal witness; and whereas, the said Whittage was for sometime after the alleged assault in the employ of the Honorable E. B. Smith, Member of Assembly from the County of Sierra, who testifies to his good character and behavior during the period of said employment, and that the said Whittage enjoyed his full liberty until the death of his principal witness, when the prosecution was commenced, and whereas, the general belief in his innocence after his trial was so great that he, the said Whittage, was left by the Sheriff of the county to find his own way to the State Prison, and did proceed thither of his own free will—now, therefore, let the said John Whittage be pardoned. April 21, 1863.</p> | | | | | | |

LIST OF PARDONS—Continued.

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|--|-------------------|----------------|--------------|---|---|
| 2416..... | Milton Enyart..... | Grand Larceny.... | Santa Cruz.... | 2 years..... | That he was led by others, more criminal than himself, into this his first offence. | Chas. Kemp, Sheriff; L. B. Clements, Associate Justice; D. J. Haslam, County Clerk; all the officers of the Prison. |
| | <p>Decision.—Whereas, a petition has been presented to me, signed by most of the officers of Santa Cruz County, asking for his pardon, and setting forth that said Enyart is a young man, inexperienced, of previous good character and habits, and was led by others, more criminal than himself, to aid in this his first offence, under circumstances to make his moral guilt questionable, and whereas, his conduct having been good since his imprisonment, and entertaining the hope of his thorough reformation, induces me to grant him a pardon—therefore, let the said Milton Enyart be pardoned. June 24, 1863.</p> | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which petition is based. | Names of Petitioners known to Gov. |
|--------------------|--|--------------------|---------------|----------------|--|---|
| 1930..... | James Hannum... .. | Manslaughter. | El Dorado ... | 4 years. . . . | That said Hannum is suffering so severely with consumption that he is in imminent danger of dying. | Dr. Taliaferro, Alex. Hunter, Sheriff; J. D. Perkins, Treasurer; W. H. Rogers, P. M., Placerville; Geo. McDonald, County Assessor; Dr. A. B. Nixon. All the officers of the Prison. |
| | <p>Decision.—Whereas, a petition has been presented to me, signed by numerous highly respectable citizens of El Dorado County, including a majority of the county officers, asking for his pardon, and representing him to be in a critical state of health; and whereas, the officers of the Prison, with one accord, certify to his universal good conduct, since he has been under their charge; and whereas, the Physician of the Prison represents that he is suffering severely with consumption—now, therefore, let the said James Hannum be pardoned. July 18, 1863.</p> | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|---|--------------------|-------------|----------------|---|---|
| 2327... .. | James B. Boggs | Manslaughter | Sonoma..... | 4½ years | That the testimony in the case was in many points conflicting; that the weapon used was a small pocket-knife, and that the prisoner received the first blow, that his conduct since his conviction has been uniformly proper. | Hon John Currey; Hon. E. W. McKinstry; Hon. C. Harrison; Hon. Pulaski Jacks; Hon. J. P. Chellis; W. L. Anderson, County Clerk, Thomas H. Pyatt, County Recorder; John N. Bailhache, Dr. J. S. Williams, Geo. E. Goodman, G. W. Towle, Sheriff Allen, George Yount, J. G. Brayton, all the officers of the Prison. |
| | <p>DECISION.—Whereas, a petition has been presented to me, asking for his pardon from a large number of influential citizens of Sonoma County, including most of the county officers and a portion of the Board of Supervisors, who testify to his former good character; and, whereas, letters have been received by me from Hon. E. W. McKinstry, District Judge, Hon. Edward Stanly, Hon. John Currey, and others, who testify to his previous good character, and petition for his release, and, whereas, letters have been received by me from Hon. J. F. Chellis, Resident Director, and other officers at the State Prison, who represent his conduct to have been good while under their charge—now, therefore, let the said James B. Boggs be pardoned. August 14, 1863.</p> | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|--|-----------------|-----------|---------------|--|--|
| 1659..... .. | Victor Bouley..... | Highway Robbery | Yuba..... | 10 years..... | He was convicted with the condition that if he conducted himself as a prisoner for four years in an exemplary manner that the Court would then recommend him for a pardon. | Judge Charles E. Filkins; Wilham Singer; J. Woodall; F. L. Hatch; D. R. Semple, H. Barrett, Sheriff; C. V. D. Hubbard, U. S. Assessor; Dr. Lorenzo Hubbard; Frank Cook; R. R. Merrill, officers of Prison. |
| | <p>DECISION.—Whereas, the said Bouley was recommended by the Court who tried him that in case of his good behavior a pardon should be asked in his behalf; and whereas, the officers of the State Prison are unanimous in their testimony as to his unvarying good conduct since being under their charge; and whereas, a petition praying for his pardon has been presented to me signed by the Associate Justices who presided at his trial, the District Attorney who tried the case, and by other prominent citizens of Yuba County—therefore, let him be pardoned. August 31, 1863.</p> | | | | | |

LIST OF PARDONS—Continued.

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|------------------|------------------|---------------|---------------|---|--|
| 2231..... | A. C. Scott..... | Murder 2d Degree | Santa Cruz... | 20 years..... | That Bassett, the deceased, was a bad and dangerous man, that Scott's life was in danger at the hand of Bassett; that the signers to his petition comprise nearly all the community in the southern portion of Santa Cruz County. | Hon. Geo. K. Porter; A. W. Blair; Chas Ford; Hon. S. B. McKee, District Judge. A. McPherson, H. C. Dodge; Jas. A. Cooper, Rich'd Leland, H. E. Newell; B. Woodworth; Mark Nye; Jas. M. Barney. |
| <p>DECISION.—Whereas, a petition has been presented to me, signed by a great number of influential citizens of Santa Cruz County, including Hon Geo K Porter, Senator, several of the county officers, and eleven of the jury who tried the case, who represent themselves as well acquainted with said Scott, and with the circumstances of the crime for which he was convicted. They represent Bassett, who was killed, as a "bad and dangerous man," and that he had threatened to kill the said Scott upon sight. They have no doubt that Bassett would have killed Scott at the time of the fatal difficulty, but that Scott, "a weak-minded and uneducated man, impelled by a deep sense of fear," defended himself in a way to result in the death of Bassett. It is also represented that said Scott was a man of peaceable habits, and since his imprisonment has behaved himself well—therefore, let him be pardoned. November 26, 1863.</p> | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--|---------------------|-------------------|---------------|--------------|--|--|
| 2306..... | Francis Fugler..... | Manslaughter..... | San Joaquin.. | 2 years..... | That he had been honest, industrious, and sober, and has been esteemed as a law abiding citizen. That his wife is dead, and his children left with only him to look to for care and support. | Hon. Geo. W. Tyler, Gen. P. Ed. Conner, Col. O. M. Brown, Chas. M. Webber, Sam'l Booker, F. C. Andrew, C. T. Meader, Allen Le Bours. |
| <p>DECISION.—Whereas, petitions have been presented to me, signed by great numbers of well known citizens of San Joaquin and Stanislaus Counties, representing that the said Fugler had, before the act for which he was tried, “been honest, industrious, and sober, even to the hour of his surrender,” and had always been a law abiding citizen; and, whereas, his wife has deceased since his confinement, leaving his children entirely dependent upon him; and, whereas, the officers at the Prison have testified to his excellent character while in their charge—now, therefore, let him be pardoned. November 26, 1863.</p> | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|---------------------|------------------|---------------|------------|---|--|
| 1830..... | Philip R. Robinson. | Murder 2d Degree | San Francisco | Life... .. | That he has hitherto been sober and industrious, that there were mitigating circumstances in the case, he being the party assailed. | John S. Ellis, Sheriff, Hon. P. W. Shephard; Hon. E. Burke; John H. Titecomb; H. H. Ellis, J. G. Chappell; Henry Johnson; W. H. Silverthorn; Sheriff Crippen, Mariposa County; Argenire Reynolds, County Clerk, Mariposa County, all the officers of the Prison. |
| <p>DECISION.—Whereas, petitions have been presented to me from numerous city and county officers of San Francisco County: from most of the county officers of Mariposa County, and from a number of citizens of Siskiyou County, who represent him to have been a man of honest and sober habits, and one who had the good will and esteem of his fellow-citizens; and, whereas, it is represented that there were many mitigating circumstances in his case, he being the party assailed; and, whereas, all the officers of the Prison, during the last three years, unite in commendation of the good conduct of the said Robinson, and of his usefulness and willingness in carrying out the orders with which he has from time to time been intrusted—now, therefore, let the said Philip R. Robinson be pardoned. November 26, 1863.</p> | | | | | | |

LIST OF PARDONS—Continued.

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|---|-------------------------|---------------|--------------|---|--|
| 2379..... | Atlas Fredonyer..... | Assault to commit Rape. | Plumas..... | 6 years..... | The belief that there are strong doubts of his guilt, the insufficiency of the evidence to warrant a conviction of a crime so unnatural in its character. | Hon. E. T. Hagon, County Judge; John J. Westwood; R. C. Chambers; B. F. Clark; J. R. Buckbee; J. B. Overton; F. B. Whitney; James H. Haun; J. F. Taylor; James Ford; E. P. Grubbs. |
| | <p>DECISION.—Whereas, several petitions for his pardon have been sent to me, numerous signed by prominent citizens of Plumas County, among others J. R. Buckbee, District Attorney elect, E. P. Grubbs, former Judge of Court of Sessions, B. F. Clark, F. B. Whitney, and several of the Supervisors of the county; and whereas, the Honorable E. T. Hagon writes me "that circumstances have transpired since his conviction which leave a doubt on my mind as to the justice of the same," and in consideration of his previous good character—now, therefore, let him be pardoned. November 26, 1863.</p> | | | | | |
| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
| 1493..... | William Keefe..... | Grand larceny | San Francisco | 8 years..... | That being young, said Keefe fell into bad company, and that during his confinement he has behaved himself well. | Hon. J. H. Warwick, Judge M. C. Blake, H. S. Brown. |
| | <p>DECISION.—Whereas, the said William Keefe is yet a young man, who, by his promises, and conduct in prison, has exhibited a desire to live a respectable life; and, whereas, all the officers of the Prison speak of his conduct in high terms; and, whereas, in a letter from Judge M. C. Blake, who tried the case, and ex-District Attorney H. S. Brown, of San Francisco, they express the belief that the said Keefe is a fit subject for executive clemency, and ask for his pardon—therefore, let him be pardoned. November 26, 1863.</p> | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|-------------------|------------------|-------------|--------------|--|---|
| 2223..... | Thos. Reagan..... | Manslaughter.... | Sierra..... | 5 years..... | That the difficulty had its origin in the prisoner's misfortunes, rather than in any intention to commit a flagrant crime. | Wm. N. Leet, R. A. McDowell, James Gould, James Hill; all the officers of the Prison. |
| DECISION.—Whereas, an extended petition from citizens of various towns in Sierra County has been presented to me, praying for the pardon of the said Reagan, and expressing the conviction that the “unhappy difficulty is to be attributed more to the prisoner's misfortunes than to any criminal intention;” and whereas, the officers at the Prison testify unanimously to the good conduct of said Reagan while under their charge; and whereas, he probably will, if released, lead a peaceable life—therefore, let him be pardoned. November 26, 1863. | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--|-------------------|-----------------|---------------|---------------|--|--|
| 1701..... | John Conner. | Grand larceny.. | San Francisco | 14 years..... | The willingness of the injured party, and his anxiety to have the said Conner pardoned, in the belief that he had not received any benefit from the robbery. | C. S. Higgins, F. E. Webster, Sam'l C. Mills, Wm. Bosworth, Ed. McKinley, Bradshaw & Co., R. H. Sutton, Geo. T. Knox, Jacob Underhill, H. S. Brown, Geo. B. Tingley, Dodge & Shaw. |
| <p>DECISION.—Whereas, a petition has been sent to me from citizens of San Francisco, who pray for the pardon of said Conner; and, whereas, I have received letters from C. S. Higgins, one of the injured parties, who asserts his belief that “Conner had nothing to do in concocting and planning the robbery, that he never had the benefit of one dollar of stolen money, and that he was used as a tool in the transaction;” and, whereas, according to the Prison officers, he has always behaved himself well—now, therefore, let him be pardoned. November 26, 1863.</p> | | | | | | |

LIST OF PARDONS—Continued.

| No. of Commitment | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|------------------|-------------------|---------------|---------------|---|--|
| 2331..... | Chuck Leong..... | Assault to Murder | El Dorado.... | 7 years | That he has a wife and seven children dependent upon him for support, and that he made the assault with the impression that his own life was in danger. | Hon. O. Harvey, Alex. Hunter, Sheriff, B. P. Rankin, N. A. Hamilton, Robert White, W. J. Burwell, James W. Coffroth. |
| <p>DECISION.—Whereas, I have received a petition signed by many citizens of El Dorado County, and also one from a large number of Chinese merchants of San Francisco and Sacramento, who represent him as a "quiet and inoffensive man," and that he committed the crime in the belief that his own life was in danger from the deceased, a countryman of his; and whereas, the Judge who presided at and the District Attorney who tried the case have grave doubts whether he was rightfully convicted—therefore, let him be pardoned. November 26, 1863.</p> | | | | | | |

23

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--|---------------------|-----------|-----------------|--------------|---|--|
| 2537..... | John Furguson. | Rape..... | Calaveras | 5 years..... | That the counsel employed to defend his case, being in contempt, could not conduct the defence, and the belief that said Furguson is suffering for a crime that he never committed. | John D. Sullivan, M. A. Burkhardt, D. K. Irwin, A. G. Thorn, Dr. H. W. Potter, G. T. Wesson, E. G. Stevens, J. G. Severance. |
| <p>DECISION.—Whereas, a very extended petition from citizens of Calaveras County has been presented to me, praying for his pardon, on the ground that from the character of the said Furguson, and of his accusers, that he is suffering for a crime that he never committed, and that his prosecution was based upon a malicious fabrication, and, whereas, I have received numerous letters from well known citizens of Calaveras, substantiating the grounds of the petition—now, therefore, let the said John Furguson be pardoned. November 26, 1863.</p> | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|---|------------------|---------------|----------------|--|---|
| 1892..... | John McQuade..... | Grand Larceny... | Tuolumne..... | 5 years | That he was a mere boy in years and experience, and had the larceny been a few dollars less he would long since have expiated his offence in the County Jail, and that during his term of imprisonment he has exhibited a desire to lead an honest life in future. | Hon. G. T. Martin, County Judge; H. P. Barber, District Attorney; Jas. Letford, Associate Justice; F. E. White, Associate Justice, R. E. Robinson, County Clerk, William T. Browne, County Recorder, all the Prison officers. |
| | <p>Decision.—Whereas, a petition has been presented to me praying for his pardon, signed by a number of citizens of character in Tuolumne County, on the ground that he was but a boy in years, and of an age when a youth not properly trained readily yields to temptation, and whereas, a sentence of five years is disproportioned to the offence, the larceny being but fifty-four dollars; and whereas, he has already served out three and a half years of his sentence—now, therefore, let the said John McQuade be pardoned. December 2, 1863.</p> | | | | | |

Total Pardons during the year.....21.

RESTORATIONS TO CITIZENSHIP

Granted by Governor Leland Stanford during the year 1863.

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|------------------|--------------------|---------------|--------------|--|---|
| 2086..... | Simon Lopez..... | Assault to murder. | Sacramento... | 2 years..... | That the prosecutor or injured party was the aggressor, and that Lopez believed he was acting in self defence. | Hon. C. Cole, District Attorney. J. L. Smith. All the officers of the Prison. |
| DECISION.—Whereas, the said Simon Lopez served out the full term of his sentence, and discharged all the duties imposed upon him by the officers of the Prison in a faithful manner; and, whereas, there is reason to believe that he is determined to reform and become a good and quiet citizen—therefore, let him be restored to citizenship. February 26, 1863. | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|-------------------|---------------------------------|----------------|-------------|--|---|
| 2342..... | Manual Gokin..... | Assault with deadly weapon..... | S. Francisco.. | 1 year..... | That he served out his full term in an exemplary manner, and, by his conduct, testifies a determination to reform. | Sam'l Platt, John J. Haley, J. C. Marcel, R. F. Ryan, Hon. F. M. Smith. |
| DECISION.—Whereas, the said Manuel Gokin has served out the full term of his imprisonment in an exemplary manner; and whereas, a large number of respectable citizens of the County of San Francisco have petitioned for a “restoration to citizenship” of the said Manuel Gokin—therefore, let him be restored to citizenship. March 21, 1863. | | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|---|--------------------|------------|--------------|---|--|
| 2225..... | George Kibling..... | Grand larceny..... | Yuba | 2 years..... | That he served out his term with unvaried good conduct. | C. E. De Long, F. L. Hatch, District Attorney; Charles Lindley, County Judge; S. M. Bliss, District Judge. |
| | <p>DECISION.—Whereas, the officers of the State Prison certify to me that said Kibling has served out the full term of imprisonment to which he was sentenced, and during said imprisonment they further testify to his good conduct and obedience, his youth and the hope of his thorough reformation induce me to restore him to the rights of citizenship—therefore, let him be restored to citizenship, with all the rights and privileges to which he was entitled before his conviction and imprisonment. May 25, 1863.</p> | | | | | |

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|--------------------|---|--------------|--------------|--------------|---|---|
| ..... | John Quinn..... | Perjury..... | San Joaquin. | 2 years..... | That he is an old man, sixty-five years of age, and that there are grave doubts whether he committed the crime with which he was charged. | George W. Tyler, County Judge; E. S. Holden, H. E. Hall, H. B. Underhill. |
| | <p>DECISION.—Whereas, a petition has been presented to me, signed by a large number of most respectable citizens of Stockton, including George W. Tyler, County Judge of San Joaquin County, E. S. Holden, Mayor of Stockton, and several of the county officers of that county, asking that the said Quinn be restored to citizenship; and, whereas, his term of sentence has expired—therefore, let him be restored to citizenship. August 4, 1863.</p> | | | | | |

RESTORATIONS TO CITIZENSHIP—Continued.

| No. of Commitment. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based | Names of Petitioners known to Gov. |
|--------------------|---|------------------------|---------------|---------------|---|---|
| 968..... | Francisco Alviso.... | Grand Larceny.... | Santa Clara.. | 5 years. | That he served out his full term of imprisonment, that he protests his innocence in the crime, and complains of unfairness in being tried away from home among strangers. | Hon. R. Pacheco, Robert A. Thomson, James White, Doctor Albert. |
| | <p>DECISION —Whereas, said Francisco Alviso served out the full term of imprisonment to which he was sentenced in an exemplary manner, and since then he has been a resident of the County of San Luis Obispo, and a large number of respectable citizens of said county represent to me that he comports himself in every way as a good, moral, well-meaning, and industrious citizen—now, therefore, let him be restored to all the rights and privileges of citizenship. August 21 1863.</p> | | | | | |
| No. of Commitment | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
| 2174..... | Henry Gillespie | Receiving Stolen Goods | San Francisco | 2 years..... | That he served out his full sentence, and was always ready and willing to attend to whatever duties were intrusted to him. | E. E. Jennings, and all the Prison officers. |
| | <p>DECISION —Whereas, E. E. Jennings, Foreman of the Sewing Room at the Prison, in whose employ he was for two years, testifies that he always conducted himself in an orderly manner and to his entire satisfaction, and, whereas, the said Gillespie has served out the full term of his imprisonment with exemplary conduct, as certified to by the Prison officers; and, whereas, he manifests a thorough disposition to be a good and worthy member of society—now, therefore, let the said Henry Gillespie be restored to citizenship. November 26, 1863.</p> | | | | | |

Total Restorations to Citizenship during the year. 6

COMMUTATIONS OF SENTENCE

Granted by Governor Leland Stanford during the year 1863.

| Date. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|------------------|-------------------|-----------|------------|---|--|
| May 27, 1863 | Jacob Greer..... | Murder 1st degree | Butte.... | Death..... | That he is a German, and was intoxicated at the time of the homicide, that, in the opinion of the District Attorney, he ought to have been convicted only of murder in the second degree. | Hon. F. M. Smith, John S. Berry, District Attorney, Thos. Wells, P. H. Harris, S. Rosenbaum, Geo. Faulkner, J. H. Middleton. |
| <p>DECISION.—Whereas, at the March term, A. D. 1862, of the District Court held in and for the County of Butte, in the State of California, Jacob Greer was tried and convicted of the crime of "murder in the first degree," and sentenced to be hung on Friday, the 22d day of May, A. D. 1863; and whereas, a respite of seven days was granted to the said Jacob Greer, and whereas, a petition has been presented to me praying for a commutation of his said sentence to imprisonment for life in the Penitentiary of this State, signed by the District Attorney who tried the case, by the Hon. F. M. Smith, member of the Assembly from Butte County, by a number of the Grand Jury of said county, and by a large number of highly respectable citizens of said County of Butte, including members of the legal profession, all of whom express serious doubts as to the justice of the said sentence, the crime having been committed, as these petitioners represent, in the heat of passion and while the prisoner was in a state of intoxication—now, therefore, by virtue of the authority in me vested by the Constitution and laws of this State, I do hereby commute the said sentence of Jacob Greer to imprisonment for life in the State Prison of the State of California, and I do hereby order and direct the Sheriff of Butte County, upon receipt of these presents, to take the said Jacob Greer and deliver him into the custody of the officers of the State Prison of California, and that he be there imprisoned during the period of his natural life</p> | | | | | | |

COMMUTATIONS OF SENTENCE—Continued.

| Date. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|----------------|-------------------|---------------|------------|---|---|
| July 8, 1863. | John Marr..... | Murder 1st degree | Santa Clara.. | Death..... | That the Judge who sentenced him held out a hope to him that executive clemency might be asked for and obtained, to the extent of a commutation to imprisonment for life. | Hon. S. B. McKee, District Judge; Hon. A. L. Rhodes, Hon. J. W. Owen, Hon. Alex. Campbell, C. B. Young, A. C. Campbell, W. T. Wallace, D. Divine, Chas. N. Senter, J. Alex. Yoell, Sheriff Kennedy. |
| <p>DECISION.—Whereas, at the May term, A. D. 1863, of the District Court held in and for the County of Santa Clara, in the State of California, John Marr, alias "Wild Cat," was tried and convicted of the crime of "murder in the first degree," and sentenced to be hung on Friday, the 10th day of July, A. D. 1863, and, whereas, a petition has been sent to me praying for a commutation of his said sentence to imprisonment for life in the Penitentiary of this State, signed by numerous highly respectable citizens of Santa Clara County; and, whereas, it appears from the evidence presented to me by the Hon. S. B. McKee, District Judge of the Third Judicial District, before whom the said case was tried, that the said Marr had borne a peaceable character, while the person killed had been noted for his quarrelsome disposition, that the killing had been preceded by numerous threats on the part of deceased, such as: "I'll have the Wild Cat's skin before night;" and, "that he had tried for the last two months to kill him, and now was as good a time as any to try it on;" and that the crime was committed in the heat of a quarrel, brought on and instigated by abusive language on the part of deceased toward the said John Marr—now, therefore, by virtue of the authority in me vested by the Constitution and laws of this State, I do hereby commute the sentence pronounced by the Court upon the said John Marr to imprisonment for life in the State Prison of California, and I do hereby order and direct the Sheriff of Santa Clara County, upon receipt of these presents to take the said John Marr, and deliver him into the custody of the officers of the State Prison of California, and that he be there confined during the period of his natural life.</p> | | | | | | |

Total Commutations of Sentence during the year.....2

RESPITES

Granted by Governor Leland Stanford during the year 1863

| Date. | Name. | Crime. | County. | Sentence. | Grounds on which petition is based. | Names of Petitioners known to Gov. |
|---|------------------|-------------------|---------------|------------|---|---|
| Jan. 6, 1863. | C. W. Smith..... | Murder 1st degree | El Dorado.... | Death..... | That the identity of the prisoner has been confounded with that of some one who is or may be the real murderer, and who may bear a strong resemblance to the prisoner; and a want of further time to substantiate the same. | Rev. J. H. McMonagle; John Carthage, Jailor El Dorado County; Alex. Hunter, Sheriff El Dorado County. |
| <p>Decision.—Whereas, official information has reached me that one C. W. Smith is under sentence of death in the County of El Dorado, and an order for his execution on the 9th day of this month has been issued, and whereas, a statement has been made to me by the Reverend J. H. McMonagle and the Jailor of El Dorado County that from certain circumstances that have transpired they are led to believe “that the identity of the prisoner has been confounded with that of some one who is the real murderer, who may have a strong resemblance to the prisoner,” and further time being necessary, for the purpose, if possible, of enabling them to substantiate their belief—now, therefore, the Sheriff of El Dorado County is hereby ordered to postpone said execution until Friday, the 23d day of January.</p> | | | | | | |

RESPITES—Continued.

| Date. | Name. | Crime. | County. | Sentence. | Grounds on which Petition is based. | Names of Petitioners known to Gov. |
|---|------------------|-------------------|------------|-------------|---|---|
| May 20, 1863 | Jacob Greer..... | Murder 1st degree | Butte..... | Death. | That the evidence indicates a case that "calls loudly for the exercise of Executive clemency;" that in the opinion of the District Attorney the verdict should have been murder in the second degree. | Thomas Wells, P. H. Harris, John S. Berry, District Attorney, S. Rosenbaum, Hon. F. M. Smith, George Faulkner, J. H. Middleton. |
| <p>DECISION.—Whereas, Jacob Greer was, at the March term of the District Court in and for Butte County, in 1862, convicted of the crime of "murder in the first degree," and sentenced to be hung on Friday, May 22, 1863—now, therefore, I, Leland Stanford, Governor of the State of California, by the authority in me vested by the Constitution and laws of said State, do hereby grant unto the said Jacob Greer a respite of seven days from the said 22d day of May, 1863, and I do hereby order and direct the Sheriff of Butte County to suspend the execution of the said sentence until Friday, the twenty-ninth day of May, A. D., eighteen hundred and sixty-three, on which day he will proceed to execute the full sentence of the law.</p> | | | | | | |

Total Respites during the Year.....2.

· On motion of Mr. Martin, the reading of the Message was dispensed with

Mr Badlam offered a concurrent resolution relative to printing the Governor's Message and Inaugural Address.

Laid over one day.

At twelve o'clock and twenty minutes, P. M., on motion of Mr. Wright, the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER.

Thursday, December 10th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Messrs Teare and Watson were granted indefinite leave of absence.

Prayer by the Chaplain, Rev. Mr Briggs.

Journal of yesterday read and approved.

PETITIONS.

Mr Owen presented two petitions, by citizens of Santa Clara County, praying an increase of the salary of the County Judge of that county. Referred to Santa Clara delegation.

REPORT.

Mr. Buffum made the following report :

MR. SPEAKER :—The joint committee appointed by the Senate and Assembly to wait upon the Governor and Lieutenant-Governor elect, beg leave to report, that those gentlemen have signified their desire that the inauguration ceremonies should take place at twelve o'clock, M., this tenth day of December, and your committee have decided that the inauguration shall take place in the Assembly Chamber, at the hour named, and have made other necessary arrangements

BUFFUM,
CHERRY,
CAMPBELL of San Francisco,
House Committee;
WRIGHT,
CRANE,
YULE,
Senate Committee.

RESOLUTIONS.

Mr Owen offered the following preamble and resolution :

WHEREAS, By an Act of Congress, approved July second, eighteen

hundred and sixty-two, entitled an Act donating Public Lands to the several States and Territories which may provide Colleges for the benefit of agriculture and the mechanic arts, it is provided that there shall be granted to the several States not in rebellion an amount of Public Land equal to thirty thousand acres for each Senator and Representative in Congress. which lands, if accepted by any State, are to be converted into safe stocks, to constitute a perpetual Fund for the endowment of a College or Colleges for the benefit of agriculture or the mechanic arts; and.

WHEREAS, It is provided, further, that no State shall be entitled to the benefits of said lands "unless it shall express its acceptance thereof within two years" from the passage of said Act of Congress; and some action being necessary whereby this State may receive the one hundred and fifty thousand acres of Public Lands to which it is entitled; therefore,

Resolved, By the Assembly, the Senate concurring, that a committee of three be appointed by each House to ascertain what action may be necessary to secure the benefits of said Act of Congress, and to report, by bill or otherwise, at as early a day as practicable.

Adopted

Mr. Wright offered a resolution referring certain portions of the Governor's message to the appropriate Standing Committees of the Assembly.

Temporarily laid on the table.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
December 10th, 1863. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate, yesterday, adopted concurrent resolution No. 6, relative to the appointment of Porter to clean up in rear of Capitol building, and ask concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

Senate concurrent resolution No. 6, above reported, was concurred in

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Wright, for an Act for the transfer of unfinished business and causes pending in the Courts of this State

By Mr. Hubbard, for an Act amendatory of sections thirty-two, thirty-three, thirty-four, and thirty-five of the Revenue Laws of this State;

Also, for an Act providing a uniform system of poor laws for the several counties of the State;

Also, for an Act amendatory of an Act entitled an Act in relation to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-three, as amended April twenty-fifth, eighteen hundred and sixty-three.

By Mr. Van Schaick, for an Act concerning jurors in the County of Santa Clara.

By Mr. Wiley, for an Act to create a Contingent Fund for Humboldt County

INTRODUCTION OF BILLS

Bills were introduced as follows :

By Mr. Dutton, for an Act supplementary to an Act entitled an Act to provide for a Railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two, and to an Act supplementary to and amendatory of said Act, approved March twenty-eight, eighteen hundred and sixty-three.

Read first and second times, and referred to San Francisco delegation.

By Mr. Wilsey, for an Act to grant to Ruel Stickney the right to construct a bridge over Big River.

Read first and second times, and referred to Mendocino delegation.

By Mr. Dodson, for an Act to extend the time for collecting taxes in the county of Lake.

Read first and second times, and referred to Lake and Napa delegations.

FURTHER SENATE MESSAGE

The following message was received from the Senate :

SENATE CHAMBER, }
December 10th, 1863. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate this day adopted concurrent resolution No. 7, relative to the inauguration of Honorable F. F. Lowe as Governor of the State of California, and ask the concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

At half past eleven o'clock A. M., on motion of Mr. Martin, the House took a recess until five minutes before twelve A. M.

INSTALLATION OF GOVERNOR.

At twelve o'clock, the House having assembled, the Senate was informed of its readiness to receive the Governor elect, in accordance with the concurrent resolution passed yesterday.

Shortly afterwards, the President pro tem, and Senate, entered the Chamber, and the proceedings commenced.

The roll of each House was called, followed by prayer by the Chaplain.

The oath of office was administered to the Governor elect, F. F. Low, and the Lieutenant-Governor elect, by Honorable Justice Crocker, of the Supreme Court.

Immediately thereafter Governor Low delivered the following :

INAUGURAL ADDRESS

Fellow-Citizens :

In cheerful compliance with established usage, I desire to present, in general terms, the policy by which I intend to be guided in the discharge of the responsible trust which you have placed in my keeping. If I enter upon the duties of the Executive office with some natural misgivings, arising from a want of that long experience in public affairs which one of more years might have brought to the service of the State, they are in some degree compensated by a consciousness that my desire to be faithful in this high office is unalloyed by any less worthy aims.

While the Executive Department has but little power other than its designation indicates, it is always properly held responsible for a failure to suggest to the Legislature measures so evidently necessary and desirable as to insure co-operation and success. The recent amendments to the Constitution have increased the term of the Governor's office to four years—a period of time during which great changes must of necessity occur in the wants and resources of the State. The Legislature will hereafter convene biennially only, and the wants of two years, instead of one, as heretofore, are to be anticipated and provided for at each session. This new order of things—calculated to lessen the expenses of the Government, and to give to our legislation more permanence than has been hitherto enjoyed—increases the responsibility of both the Executive and the Legislature, and makes an additional call upon their zeal and watchfulness in the conduct of public affairs. While I shall affect no unbecoming distrust of the future in this connection, I have thought it well thus to remind you at the outset that these constitutional reforms impose some labors differing from those of previous administrations.

My primary duty of seeing that the laws are faithfully executed will happily be an easy one, for amid the throes of a terrible civil war, the people of California have steadfastly maintained their established regard for local authority. The executive officers of the Courts will not be likely to require any aid from beyond their respective neighborhoods in the performance of their duties.

In view, however, of our National troubles, and of possible (let us hope not probable) foreign complications, this habitual respect for our State laws, and for the decrees of our Courts, will not render it wise for us to disregard the importance of a well organized and disciplined militia. The able-bodied men of the State ought certainly to be instructed in the use of arms and in military drill. Whether this desirable end cannot be attained, and the efficiency of the militia be promoted by such modifications of the present system as will materially lessen the expense, is a subject well worthy of consideration. Our people have in times past given but little thought to the organization of the militia, and I should regret to see any check given to the growing inclination to bestow upon the matter the attention its importance demands. At the same time, utility rather than a love of display should be kept in view, and economy be thereby consulted.

The financial condition of the State demands serious attention, and the immediate adoption of measures which shall not only provide for necessary current expenditures, but by which the floating debt shall be surely extinguished and our affairs be placed upon a cash basis. Whether this is to be accomplished by an increase of the revenues, or by a decrease of

the expenditures, or both, or by other means, I have now no data upon which to base any suggestions. It must be apparent to any one who has examined into the public finances, that the State is paying an interest, directly and indirectly, of two per cent per month as a minimum, on a large portion of the current expenditures. Until a remedy can be found for this state of things, little hope can be entertained of inaugurating, in many departments, reforms which seem necessary—nay, imperative. I shall at an early day inform myself concerning the condition of the finances, and transmit the result to the Legislature, accompanied with such recommendations as may seem to me practical and conducive to the ends I have indicated.

It will devolve upon me to make some appointments to office. In the discharge of this responsible duty I shall endeavor to select men of earnest loyalty, unquestionable integrity, and the requisite capacity. I believe that these are times in which men of intelligence, energy, conscience and courage should alone be placed in positions of trust and influence. It will be my aim to appoint such, and none others, to the few places I am charged with filling, to the exclusion of drones whose small talents and less energies are usually exhausted in efforts to obtain places which they are not competent to fill. It would, I think, be well if all officers, not elected by the people, could be made more directly responsible than many of them are under existing laws to the power appointing them. If the Executive, or the Legislature, or any Board of officers authorized to make appointments, find that confidence has been misplaced, the unworthy recipient should be subject to removal by the power which appointed him. This is particularly to be desired now when every man's fidelity to the right is undergoing the severest conceivable tests, and when time-servers may, almost any day, make some one of the great events of the war a pretext for opposition to the National Government. I trust that the importance of this subject will not be overlooked by the Legislature.

The veto power conferred by the Constitution upon the Governor should be used with caution, and only in cases where to refrain would be detrimental to the best interests of the State. In considering bills which may come to me for my official sanction, while I should greatly regret to differ with the legislative representatives of the people, I shall not forget that I, too, have been intrusted with a share of the responsibility in the matter, and that I cannot render a good account of my stewardship if my approval is given to a single Act which my judgment tells me is inconsistent with the fundamental law or with the public welfare.

The pardoning power will never be exercised by me unless I am convinced that injustice has been done to the person in whose behalf application is made; and where any doubt exists concerning the facts, I shall act upon the presumption that the Court and jurors before whom a case is tried are far better capable of determining the matter than I could be upon *ex parte* statements subsequently made.

The support of penal, reformatory, and benevolent institutions forms a part of the burdens which must always be borne by well regulated communities. In this State there are, in addition to the usual public institutions of this character, a number of private charitable enterprises, which have hitherto received material aid from the State—the appropriations in their behalf amounting last year to thirty thousand dollars. Such munificent gifts in aid of suffering and helpless humanity would be a source of pride to every good citizen, if the State had anything to

give; but appropriations so large of mere promises to pay, while State warrants to the amount of hundreds of thousands of dollars are selling in the market at rates far from flattering to the public credit, seem to me to be an exhibition of generosity at the expense of justice towards those who have become creditors of the State. I am firmly of the opinion that no additional debt should be created for these purposes, and that the various local charities should, for the present at least, rely upon the aid of private citizens, and, where circumstances justify it, of the county authorities.

Our State Prison system is far from perfect; the various attempts at reform heretofore made not having been followed by the desired results. It shall be my endeavor to do something toward making the prisoners support themselves by their own labor. The Prison, in its present state, but poorly answers the purpose for which it was intended, and until a considerable outlay is made, to enable the enforcement of discipline by the solitary confinement of the disobedient, it will be next to impossible to compel the labor of the convicts. It would be economy for the State to make some provision for the necessary improvements.

The Insane Asylum will, I trust, under the provisions of the Act of the last Legislature, be so improved and enlarged as to be fully adequate to the wants of the unfortunate class for whom it is intended, thus permanently disposing of the proposition heretofore frequently agitated, for a branch Asylum in some other portion of the State.

The reformation of juvenile offenders has become an established portion of the labor and expense of good and wise governments in the older States, and in Europe. It seems that but few offenders have been sent to our State Reform School. From this it would appear, either that there are very few boys in the State, outside of San Francisco, requiring the discipline of such a school, or very few men who attend to the duty of sending them there. The subject is one that is everywhere else deemed worthy of more consideration than it has thus far received in California.

The State has, with commendable liberality, provided for the care and education of the deaf, dumb, and blind. An appropriation of seventy-five thousand dollars for the completion of the Asylum buildings was submitted to a vote of the people at the late election, and the proposition was indorsed by the popular vote. It may well be questioned whether so large an amount is necessary to provide adequate accommodations for this unfortunate class, and it is to be hoped that the Commissioners in whose charge this matter is, will keep in view the embarrassed condition of the State, and expend only so much of the Fund as may be absolutely necessary.

Special legislation has been a crying evil in this State. A large proportion of each session of the Legislature has been consumed in listening to the advocates of relief bills, bills granting franchises and other special privileges, and bills even to advance the personal interests of criminals, litigants in civil cases, and the Administrators of the estates of deceased persons. The Legislature cannot judge as intelligently concerning the bridges, ferries, and roads of the several counties as can the county authorities, nor concerning the rights of parties in Courts as can the Judges thereof. Believing that bills of the character referred to are too often allied together, and passed by the joint efforts of the friends of all, I shall not hesitate to withhold my approval from any bill granting privileges which might have been granted under the general laws of the State, by the Supervisors of the county therein concerned, had they

deemed it advisable, or any bill intended to aid parties in Court to favors denied them there. It may be, that the general laws intended to confer upon Supervisors the authority requisite for the proper management of local concerns are in some particulars insufficient for the purpose. If it should so appear, the true remedy is to be found in proper amendments to those laws; but under the guise of a general law no special interests should be subserved.

The San Francisco water front has been a perplexing subject in and out of the Legislature for several years past; but fortunately for the interests of the State it was finally disposed of by the Act of last session, and will henceforth hardly be a public question, excepting so far as the general desire is concerned to see the existing legislation upon the subject faithfully carried out.

The cause of education must always be regarded as of the very first importance by those who desire the perpetuation of our free republican system of government. The right of the people to govern themselves is of no value unless coupled with the capacity to govern themselves well. It is essential, then, that all classes of the community should enjoy the benefits of a liberal and enlightened educational system. Probably this has been as well cared for in this State as our rapid growth would permit; but there is ample room for improvement, and I sincerely trust that at the close of my term of office it will be found that such progress has been made as the times shall have demanded and our means justified. The proceeds of the bounties so liberally granted to the State by the General Government for School purposes should be inviolably preserved to their proper uses, and the debt due to the School Fund—which under no pretence should ever have been contracted—should be preferred before all other claims. The State Normal School, now in its infancy, will doubtless prove the same indispensable auxiliary to the general cause that similar institutions have become in older communities, and should be liberally fostered. The conditions imposed by the Acts of Congress granting lands to the State in aid of institutions of learning of a higher order, render it necessary that steps be taken speedily to avail ourselves of the benefits to be derived from these munificent donations.

I am glad to see a growing disposition among the people to guard the elective franchise from abuse, and to erect additional guards to its fair exercise. Nothing can so greatly conduce to this end as a well considered and practical Registry Law. The slight inconvenience which such an enactment would impose upon the legal voters of the State would be much more than compensated by the security it would give them against being overborne at elections by fraudulent voting. Of the constitutionality of such a measure I have no doubt, although I am aware that many persons entertain a different opinion; and it is unfortunate, perhaps, that a provision giving to the Legislature ample power over the subject in clear and unmistakable language, was not submitted to the people among the late amendments to the Constitution.

Our agricultural districts are being steadily settled by an industrious and stable population, whose patient and well directed energy will in a few years place California in the front rank of the Agricultural States. For this we are indebted to the wise and generous Public Land policy of the National Government, and in co-operating by every means possible with that policy we shall best promote the material interests of the State, and at the same time encourage the industry of a worthy class of

citizens, upon whom the prosperity of the State must always largely depend.

Commerce is an element of great importance to our State, and it is her true policy to provide ample accommodations for it, and place upon it as few restrictions as are consistent with the enforcement of such police regulations for our ports as may from time to time be found necessary. No tax should ever be laid upon commerce for the aggrandizement of individuals or corporations, or for the support of useless public officers.

While evidences are multiplying around us of the steady progress, in the State, of her agricultural, commercial, and manufacturing interests, it is apparent to every one that our mining interest is far the most important of any, and must continue to be so for some years to come. The policy of the General Government in respect to the mines is well understood; and assurances have been very recently publicly given that no change is contemplated or considered desirable. So long as the title of the United States to the mineral lands is recognized and respected by those engaged in working them, the local regulations of each district, made by the miners themselves, will continue to prevail. The attempts made some years since, in an opinion by one of our then Supreme Judges, to assert for California the ownership of the mineral lands of the United States within her boundaries, was so repugnant to the loyal sentiment of our people, and so manifestly in conflict with the rightful sovereignty of the Nation, that but few men can now be found who have the hardihood to engage in its defence. I have always considered it as most consonant with our popular form of government, and at the same time the wisest policy financially, both for the State and the United States, to encourage all citizens to enter freely upon the public mineral lands for mining purposes. In the present embarrassed condition of the National finances, it seems to me peculiarly desirable that every encouragement should be given to the increased production of the precious metals. The present system is unquestionably the best one by which the mineral wealth of our State can be made available to the country; any radical change in it would only serve to lock up our gold in the bowels of the earth, which would be a short-sighted policy indeed. It is fortunate that, on the one hand, the General Government adheres steadfastly to its established course and on the other hand, that our California miners are ready to show at all times a proper understanding of the fact that they are upon the lands of the United States.

The Geological Survey of the State, which is in the hands of a gentleman of high national reputation, is an important branch of the public service. The publication of the results of his labors will give to the world a correct knowledge of our mineral resources, which can be imparted in no other manner so likely to carry conviction. The cost of the survey, and of the publication hereafter of its reports, is as nothing compared with the advantages to be derived by the State. I hope the State Geologist, and those whom he has selected to aid him, will receive that encouragement and material aid to which their capacity and zeal and the magnitude and character of their labors entitle them, and without which their useful work would have to be abandoned.

I congratulate you, my fellow-citizens, upon the renewal you have recently made at the ballot box of your pledge to stand firmly by the National cause. Twenty thousand majority for Representatives in Congress, known to be the ardent friends of Liberty and Union, must finally destroy all hopes which foreign or domestic foes of the United States

may ever have entertained of receiving aid and sympathy from the Pacific Coast. Our position on this great question has now been four times announced by ballot since the commencement of the Southern rebellion, and four times has the popular will here emphatically declared against any other peace than that which will follow upon the submission of the rebels to the Nation's rightful authority. To the States now loyal is California indebted for all that Congress ever did for her advancement—from the Act of Admission in eighteen hundred and fifty, upon which the now insurgent chiefs threatened secession, down to the Pacific Railroad Act of eighteen hundred and sixty-two, which those bad men had lost the right to longer oppose in Congress; and this, too, notwithstanding the persistency with which, up to eighteen hundred and sixty-one, she clung to her unnatural alliance with the Cotton State politicians. If our brethren in the North and West were so ready to respond to our calls then, when we seemed cold and distant, we can hardly fail to be heard now, when we send to the Councils of the Nation men who are earnest co-laborers with them in the greatest cause ever contended for in the field or in the forum.

The admission of Nevada into the Union as a State, at the present session of Congress, is, I presume, a foregone conclusion. She will be the third State formed on this side of the continent within fourteen years, and, like her older neighbors—California and Oregon—has already shown that she will be jealous of her reputation for fidelity to the Nation. Let us look to it, here on the Pacific slope, that such safeguards as prudence may dictate, be placed around this happy condition of things, to prevent the possibility of the current of civilized progress being stayed or turned back by disfranchised refugees from the rebellious regions.

The war for the suppression of the rebellion is making steady progress toward the accomplishment of that, its only end. During its continuance discussions naturally enough arise concerning the political effect of the rebellion upon the governmental organizations which existed at its commencement in the rebel communities. No combinations of men or of circumstances can prevent the proper and safe solution of the great problems involved in this terrible conflict. The events now transpiring seem, indeed, too mighty to be absolutely controlled by mere human agencies. The laws of change and of progress are doing their appointed work among this people, who, amid much material prosperity, suffered a domineering element to so gain strength as finally to set at defiance all previous restraints—appealing to the arbitrament of the sword when it could no longer control the ballot box. The great body of the Union men of the country are agreed upon this main proposition: that the rebel State authorities have no legitimacy or legal existence; that no loyal citizen of the United States can yield them willing obedience; and that our Government can never, without humiliation and disgrace, recognize any one of their acts. Other and loyal State Governments must succeed them as our arms prevail. Our whole duty now is by all possible means to strengthen our armies which are contending with the rebellion. By what agencies and through what modes local governments, republican in form, are to be re-established in those States by the loyal inhabitants, old and new, is not a vital question now, and cannot be until they have ceased to be battle fields. That the rebels will neither consent nor be permitted to participate in the erection of the new Union State Governments, is certain. That the loyal men who do erect those governments will do their work well, and make it worthy of the age, seems to me equally certain. With the triumph of our arms must come

the destruction of the order of things by which a resort to them was compelled. This is the logic of events, and not a mere question of parchments. Let us all continue to agree with regard to these ends, and no means will ever be adopted by those we have intrusted with power which do not have them in view.

With a full determination to devote whatever of capacity and energy I may possess to the promotion of the best interests of the State and Nation, and invoking the assistance of Almighty God to guide me aright, I am now prepared to enter upon my official duties.

At the conclusion of the address the Senate retired.

IN ASSEMBLY.

On motion of Mr. Owen, at one o'clock and fifteen minutes, P. M., the House adjourned.

IN ASSEMBLY

HOUSE OF ASSEMBLY,
Friday, December 11th, 1863 }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Mr Mebius was granted three days' leave of absence. Messrs. Lux and Johnson were granted indefinite leave of absence.

Prayer by the Chaplain.

The Speaker announced the following

COMMITTEE ON AGRICULTURAL COLLEGE.

Messrs Owen, Bowman, Tukey.

The Speaker appointed Owen Curran as Fireman.

REPORTS.

Mr. Personette, from the Committee on Mileage, made the following report:

MR. SPEAKER:—Your Committee on Mileage herewith present the following report of the amount due each member for mileage:

| Names. | Miles. | Amount. |
|--------------|--------|---------|
| Allen..... | 80 | \$16 00 |
| Alley | 260 | 52 00 |
| Beaman | 186 | 37 20 |

| Names. | Miles. | Amount. |
|---------------------------------|--------|---------|
| Bowman | 234 | 46 80 |
| Boulware | 68 | 13 60 |
| Brooks | 234 | 46 80 |
| Brown of Amador | 120 | 24 00 |
| Brown of Tulare | 630 | 126 00 |
| Buffum | 200 | 40 00 |
| Campbell of El Dorado | 64 | 12 80 |
| Campbell of San Francisco | 234 | 46 80 |
| Castro | 514 | 102 80 |
| Chappell | 370 | 74 00 |
| Cherry | 234 | 46 80 |
| Clark | 268 | 53 60 |
| Clayton | 234 | 46 80 |
| Devoe | 500 | 100 00 |
| Dickinson | 200 | 40 00 |
| Dodson | 260 | 52 00 |
| Dow | 80 | 16 00 |
| Dutton | 234 | 46 80 |
| Dyer | 180 | 36 00 |
| Erkson | 300 | 60 00 |
| Fraser | 150 | 30 00 |
| Gray | 234 | 46 80 |
| Green | 266 | 53 20 |
| Hartsough | 50 | 10 00 |
| Hill | 894 | 178 80 |
| Hittell | 234 | 46 80 |
| Hoag | 276 | 55 20 |
| Hubbard | 100 | 20 00 |
| Hirst | 1,010 | 202 00 |
| Jenison | 330 | 66 00 |
| Johnson | 370 | 74 00 |
| Kendrick | 1,464 | 292 80 |
| Kewen | 1,100 | 220 00 |
| Langdon | 140 | 28 00 |
| Littlefield | 716 | 143 20 |
| Ludlow | 64 | 12 80 |
| Lux | 254 | 50 80 |
| Lynch | 234 | 46 80 |
| Martin | 154 | 30 80 |
| McColliam | 234 | 46 80 |
| Mebius | 234 | 46 80 |
| Mitchell ..... | ..... | ..... |
| Owen | 300 | 60 00 |
| Parker | 130 | 26 00 |
| Perley | 64 | 12 80 |
| Perrin | 250 | 50 00 |
| Personette | 510 | 102 00 |
| Pratt | 52 | 10 40 |
| Redfield | 136 | 27 20 |

| Names. | Miles. | Amount. |
|-------------------------|--------|---------|
| Rhoads | 40 | 8 00 |
| Rule..... | 122 | 24 40 |
| Scott of Alameda | 294 | 58 80 |
| Scott of Siskiyou..... | 700 | 140 00 |
| Sepulveda | 1,100 | 220 00 |
| Smith of Nevada..... | 126 | 25 20 |
| Smith of Sonoma..... | 276 | 55 20 |
| Snyder..... | 160 | 32 00 |
| Sumner..... | 160 | 32 00 |
| Teare..... | 90 | 18 00 |
| Van Leuven..... | 1,210 | 242 00 |
| Van Schaick..... | 366 | 73 20 |
| Walker of Alameda | 282 | 56 40 |
| Walker of Fresno..... | 380 | 76 00 |
| Wason | 50 | 10 00 |
| Weston..... | 240 | 48 00 |
| Wilcox..... | 290 | 58 00 |
| Wiley | 780 | 156 00 |
| Wilsey..... | 434 | 86 80 |
| Winchester..... | 96 | 19 20 |
| Whallon..... | 260 | 52 00 |
| Wood..... | 234 | 46 80 |
| Wright..... | 284 | 56 80 |
| Sears | 150 | 30 00 |

All of which is respectfully submitted.

PERSONETTE, Chairman.

Mr. Dodson made the following report :

MR. SPEAKER :—The committee, to whom was referred Assembly bill No. —, an Act to extend the time for collecting taxes in the County of Lake, beg leave to report it back to the House, and recommend its passage.

DODSON, for Committee.

RESOLUTIONS.

Mr. Hill offered the following resolution :

Resolved, That a special committee of three be appointed by the Speaker to examine proposals for translating the laws into Spanish, of the Fifteenth Session of the Legislature.

Adopted.

The Speaker appointed Messrs. Hill, Owen, and Wiley such committee.

Mr. Martin offered a concurrent resolution for the appointment of a joint committee to ascertain the necessary number of copies of State documents to be printed.

Laid on the table.

Mr. Wiley offered the following resolution :

Resolved, That the Sergeant-at-Arms be instructed to procure three thousand copies of the Inaugural Address for the use of the Assembly.

Laid over one day.

Mr. Badlam offered the following resolution :

Resolved, That a committee of three be appointed to procure suitable rooms for the committees and Clerks of the Assembly.

Laid on the table.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 11th, 1863. }

Mr. SPEAKER :—I am instructed by the Senate to deliver the accompanying documents of the message of Governor Stanford to the Assembly.

A. W. BISHOP,
Assistant Secretary.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Buffum, for an Act to prevent the destruction of timber on the Public Lands of this State ;

Also, for an Act legalizing or promoting anatomical study in this State ;

Also, for an Act for a uniform system for examining and licensing all who practice the science of medicine and surgery in this State.

By Mr. Allen, for an Act concerning roads and highways in San Joaquin County.

By Mr. Hill, for an Act to prevent the trespassing of animals upon private property in the County of Santa Barbara.

By Mr. Scott of Alameda, for an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April twentieth, eighteen hundred and sixty-three.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wright, for an Act to transfer all unfinished business and causes pending in the Courts of this State.

Read first and second times, and laid on the table.

By Mr. Wiley, for an Act to create a Contingent Fund for Humboldt County.

Read first and second times, and referred to the delegation from Humboldt.

By Mr. Wood, for an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Dodson, for an Act to fix the compensation of the County Judge of Lake County.

Read first and second times, and laid on the table.

GENERAL FILE.

Assembly bill No. 1, an Act to amend an Act entitled an Act to authorize the incorporation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine—ordered engrossed.

Assembly concurrent resolution No. 4, relative to printing the Governor's Message in English and Spanish, was taken from the table.

Mr. Snyder offered a substitute.

The substitute, together with the original, were, on motion of Mr. Rule, laid on the table.

There being no further business, on motion of Mr. Wright, at eleven o'clock and forty-two minutes A. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, December 12th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Messrs. Hartsough, McColliam, and Wood, were each granted leave of absence for one day, and Mr. Green leave for three days.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Smith obtained leave to be entered as present at roll call.

The Speaker announced the following Standing Committees of the Assembly:

ON AGRICULTURE.

Messrs. Boulware, Erkson, Hartsough, Wason, and Rhoads.

ON PUBLIC LANDS.

Messrs. Wilcox, Van Leuven, Green, Winchester, Jenison, Castro, and Hoag.

ON PUBLIC BUILDINGS.

Messrs. Lux, Watson, Mebius, Beaman, and Scott of Siskiyou.

ON ENROLMENT.

Messrs. Redfield, Van Schaick, and Rule.

ON ENGROSSMENT.

Messrs. Cherry, Chappell, Smith of Nevada, Dow, and Dickinson.

ON EDUCATION.

Messrs. Owen, Tukey, Bowman, Campbell of El Dorado, and Mitchell.

ON INDIAN AFFAIRS.

Messrs. Wiley, Sumner, Chappell, Hirst, and Kendrick.

ON JUDICIARY.

Messrs. Campbell of San Francisco, Wright, Brown of Amador, Tukey, Teare, Hittell, Kewen, Walker of Alameda, Whallon, Hill, and Wilsey.

ON WAYS AND MEANS.

Messrs. Allen, Perrin, Clayton, Parker, Wiley, Dutton, Martin, Dodson, and Ludlow.

ON CLAIMS.

Messrs. Campbell of El Dorado, Erkson, Perley, Wilcox, and Dyer.

ON STATE PRISON.

Messrs. Tukey, Wiley, Pratt, Rule, Lynch, Johnson, and Devoe.

ON COMMERCE AND NAVIGATION.

Messrs. Hunt, Brooks, Scott of Alameda, Clayton, and Perley.

ON MILITARY AFFAIRS.

Messrs. Wood, Alley, Hubbard, Owen, and McColliam.

ON PUBLIC EXPENDITURES AND ACCOUNTS.

Messrs. Chappell, Clark, Sepulveda, Langdon, and Littlefield.

ON HOSPITALS.

Messrs. Buffum, Hubbard, Dodson, Weston, and Gray.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, December 11th, 1863. }

To the Honorable the Assembly of California :

I have this day appointed George C. Gorham Private Secretary to the Governor.

All communications from this department will be presented to your honorable body through him.

FRED'K F. LOW,
Governor.

The resolutions offered yesterday by Mr. Badlam, for the appointment of a committee to select rooms for Clerks and committees, was adopted.

Mr. Hittell presented a series of resolutions relative to the Federal Government.

Ordered referred to the Committee on Federal Relations.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
December 12th, 1863. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate yesterday passed Senate bill No 2, an Act providing for the furnishing of members and officers of the Legislature with postage stamps and express envelopes, and ask concurrence of Assembly;

Also, that the Senate yesterday adopted concurrent resolution No 8, relative to the appointment of a Translator to translate such laws of the State as the Legislature may order, and ask concurrence of Assembly.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
December 12th, 1863. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, concurred in Assembly concurrent resolution No. 2, relative to an Act of Congress donating certain Public Lands to the several States, for the benefit of agriculture and the mechanic arts.

A. W. BISHOP,
Assistant Secretary.

Senate concurrent resolution No. 8, above reported, was concurred in, and Messrs. Hill, Owen, and Brown, appointed committee on the part of the Assembly.

Senate bill No. 2, an Act providing for the furnishing of members and officers with postage stamps and express envelopes, above reported, considered as in Committee of the Whole, (Mr. Cherry in the Chair.)

IN ASSEMBLY.

Reported without recommendation, and referred to the Committee on Ways and Means.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Hirst, for an Act authorizing the Board of Supervisors of Klamath County to levy a special tax for the purpose of creating a Current Expense Fund for said county.

Mr. Owen, for an Act to authorize the Controller to draw warrants

upon the Military Fund in the Treasury for all audited claims of the California State Militia.

By Mr. Scott, of a proposed amendment to section twenty-six, Article IV, of the Constitution.

By Mr. Beaman, for an Act to amend an Act in regard to fees of jurors in and for the County of Yuba.

By Mr. Winchester, for an Act concerning roads and highways in the County of Placer.

By Mr. Badlam, for an Act to exempt active firemen from jury duty in the City of Sacramento.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hittell, for an Act to punish certain malfeasances relative to office.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, passed April twentieth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act relative to suits which may be pending on the last day of this year.

Read first and second times, and referred to the Judiciary Committee.

RESOLUTIONS.

On motion of Mr. Wright, the resolution offered by him referring certain portions of the Governor's message to certain committees was taken from the table, considered, amended, and adopted.

The Speaker appointed Messrs. Badlam, Martin, and Fraser, a committee to provide rooms for committees, etc.

Mr. Redfield moved to adjourn.

Lost.

Mr. Martin offered the following resolution :

Resolved, That when this House adjourn, it adjourn till Tuesday next.

Adopted.

Mr. Dodson offered the following resolution :

Resolved, That Abraham Giles be and is hereby appointed Porter of the committee rooms and Clerks' rooms of this House at a per diem of three dollars, to be paid out of the Contingent Fund of the Assembly.

Laid on the table.

Mr. Wright moved to adjourn.

Lost.

Mr. Hittell had leave to introduce, without notice, a bill for an Act relative to bank notes.

Read first and second times, and referred to the Judiciary Committee.

On motion of Mr. Wright, at twelve o'clock and twenty-five minutes p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, December 15th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday last read and approved.

On motion of Mr. Scott of Siskiyou, Mr. Cherry was excused from serving on the Committee on Engrossment.

The Speaker announced the appointment of the following Standing Committees of the Assembly:

ON CORPORATIONS.

Messrs. Wilsey, Wason, Mebius, Hartsough, Brooks, Pratt, and Redfield.

JOINT COMMITTEE ON PRINTING.

Messrs. Badlam, Hill, and Scott of Siskiyou.

ON PUBLIC MORALS.

Messrs. Walker of Alameda, Jenison, Johnson, Cherry, and Kendrick.

ON ROADS AND HIGHWAYS.

Messrs. Ludlow, Beaman, Boulware, Watson, and Hunt.

ON SWAMP AND OVERFLOWED LANDS.

Messrs. Hartsough, Bowman, Rhoads, Allen, and Dickinson.

ON STATE LIBRARY.

Messrs. Van Schaick, Buffum, and Wood.

ON MINES AND MINING INTERESTS.

Messrs. Snyder, Clark, Alley, Dow, Smith of Nevada, Littlefield, and Sumner.

ON COUNTIES AND COUNTY BOUNDARIES.

Messrs. Mitchell, Fraser, Walker of Fresno, Martin, Teare, Green, and Van Leuven.

ON FEDERAL RELATIONS.

Messrs. Hubbard, Hirst, Fraser, Campbell of San Francisco, Personette, Scott of Alameda, and Devoe.

ON CULTURE OF THE GRAPE.

Messrs. Wason, Winchester, Van Leuven, Hittell, Smith of Sonoma, Snyder, and Sepulveda.

ON ELECTIONS.

Messrs. Wright, Cherry, Lux, Lynch, Weston, Dyer, and Gray.

ON INTERNAL IMPROVEMENTS.

Messrs. Perrin, Parker, McColliam, Brown of Amador, and Brown of Tulare.

REPORTS.

Mr. Personette, Chairman of the Committee on Mileage, made the following report:

MR. SPEAKER:—Your Committee on Mileage offer the following supplemental report:

“Mr. Watson—Number of miles travelled, forty; amount due, eight dollars.”

PERSONETTE, Chairman.

Adopted.

Mr. Rule made the following report:

MR. SPEAKER:—Your committee, to whom was referred the matter of claims of temporary officers, beg leave to make the following report; That they have examined the law, and find it provides for a per diem as follows: Clerk, eight dollars; Minute Clerk, eight dollars; Assistant Sergeant-at-Arms, six dollars; Porter, four dollars; Fireman, four dollars.

That W. N. Slocum performed the duties of Clerk; William G. Wood, Minute Clerk; William Kirby, Assistant Sergeant-at-Arms; Hiram Clock, Porter; and Thomas Moore, Fireman.

Your committee recommend that they be allowed pay for three days each, with the exception of the Clerk, W. N. Slocum, who is entitled to ten days; the Fireman, who performed services five days; and W. G. Wood, Minute Clerk, two days; for which several sums we recommend payment.

All of which is respectfully submitted.

RULE,
BROWN of Amador,
WILSEY.

Adopted.

Mr. Wiley made the following report:

MR. SPEAKER:—The Humboldt delegation, to whom was referred As-

sembly bill No. 6, an Act to create a Contingent Fund for Humboldt County, beg leave to report the same back with an amendment, and recommend its passage.

WILEY, for Delegation.

RESOLUTIONS.

Mr. Allen offered the following resolution :

Resolved, That the Judiciary Committee and the Committee on Ways and Means be allowed to appoint a Clerk, with the compensation allowed by law.

Adopted.

Mr. Winchester offered a concurrent resolution of thanks to Ex-Governor Stanford.

Adopted.

Assembly bill No. 5, transferring cases pending in certain Courts, was referred to the Judiciary Committee.

Mr. Martin offered the following resolution :

Resolved, That Hiram Clock be and is hereby appointed Porter for Committee and Clerks' rooms, at a per diem of four dollars.

Adopted.

Mr. Wright offered a concurrent resolution relative to the distribution of bills ordered printed by order of either House.

Adopted.

Mr. Rule offered the following resolution :

Resolved, That the Controller of State be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the following persons, and for the following sums respectively, to wit :

W. N. Slocum, temporary Clerk, eighty dollars ;

W. G. Wood, Minute Clerk, sixteen dollars ;

William Kirby, Assistant Sergeant-at-Arms, eighteen dollars ;

Hiram Clock, Porter, twelve dollars ;

Thomas Moore, Fireman, twenty dollars.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 15th, 1863. }

MR. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, appointed Messrs. Gaskill, Hawes, and Lovett, committee on the part of the Senate, to the joint committee, as provided by Assembly concurrent resolution No. 2, relative to Government Lands donated to the several States.

A. W. BISHOP,
Assistant Secretary.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Tukey, for an Act to set aside seventy thousand dollars of the national currency, now in the State Treasury, as a Special Fund for the payment of those members of the House and Senate, Clerks, and other attachés, who are willing to receive the same at par for their services;

Also, for an Act to repeal an Act entitled an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, one thousand eight hundred and fifty-one;

Also, for an Act to amend the City Charter of the City of Sacramento.

By Mr. Wright, for an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State.

By Mr. Brown of Amador, for an Act granting the right of way to construct a plank and turnpike road from a point in Hope Valley, through Carson Cañon, to the eastern terminus of said cañon.

By Mr. Watson, for an Act for the better protection of the agricultural interest, and for the more effectual prevention of the trespassing of animals on private property.

By Mr. Teare, for an Act fixing the time for holding the County Court and Probate Court of El Dorado County.

By Mr. Ludlow, for an Act entitled an Act for levying and collecting a special per capita tax of three dollars for the year one thousand eight hundred and sixty-four on all male inhabitants of this State over twenty-one years of age, unmarried California Indians excepted, for Common School purposes;

Also, a motion to amend Rule One of Standing Rules of the Assembly, by striking out the word "eleven," and inserting the word "ten."

By Mr. Walker of Alameda, for an Act amendatory to the thirty-seventh, thirty-eighth, and thirty-ninth sections of an Act entitled an Act to provide for the maintenance and supervision of Common Schools, approved April sixth, eighteen hundred and sixty-three.

By Mr. Parker, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, for an Act to amend an Act entitled an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, as amended by Act passed March twenty-fifth, eighteen hundred and sixty-two, as amended by an Act approved April twenty-fifth, eighteen hundred and sixty-three.

By Mr. Allen, for an Act to provide for the construction of a bridge across the Mokelumne River, at Benson's Ferry.

By Mr. Langdon, for an Act to amend an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

By Mr. Campbell of San Francisco, for an Act supplemental to and amendatory of an Act entitled an Act providing for the confinement of prisoners of the United States, approved February fourth, eighteen hundred and fifty-six.

By Mr. Dodson, for an Act granting the right of way over certain lands of this State, in the Counties of Lake and Mendocino, for the construction of a wagon road.

By Mr. Gray, for an Act to exempt the property of the San Francisco Ladies' Protection and Relief Society from taxation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Owen, for an Act to fix the bonds of the Sheriff of the County of Santa Clara.

Read first and second times, and referred to the Santa Clara delegation.

By Mr. Van Schaick, for an Act concerning jurors in Santa Clara County.

Read first and second times, and referred to the Santa Clara delegation.

By Mr. Tukey, for an Act concerning certain indictments.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Scott, proposed amendments to the Constitution.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Campbell of San Francisco, for an Act providing for the transfer of cases on the first day of January, eighteen hundred and sixty-four, to the Courts established by the present Constitution.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hubbard, for an Act relating to the legal settlement of paupers.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Brown of Amador, for an Act to provide for a turnpike road, commencing at the junction of the Big Tree and Amador and Sierra Nevada Wagon Roads, in Amador County, and running thence through Carson Cañon to Woodford's Station, at the eastern terminus of Carson Cañon.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Owen, for an Act authorizing the Controller of State to draw his warrants upon the Treasurer for audited claims upon the Military Fund.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Dodson, for an Act amendatory of an Act entitled an Act to define the boundaries and provide for the organization of Lake County, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Counties and County Boundaries.

By Mr. Hittell, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Ways and Means.

Also, for an Act relative to fees and salaries of officers.

Read first and second times, and referred to the Committee on Ways and Means.

Also, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Ways and Means.

GENERAL FILE.

Assembly bill No. 4, an Act to extend the time for the collection of taxes in the County of Lake—ordered engrossed.

Assembly bill No. 8, an Act fixing the compensation of the County Judge of Lake County—taken from the table, and referred to the Judiciary Committee.

At twelve o'clock and fifteen minutes P. M., on motion of Mr. Owen, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, December 16th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker presented the following communication :

SAN FRANCISCO,
December 12th, 1863. }

Honorable WILLIAM H. SEARS,

Speaker of the Assembly—

SIR :—In behalf of the Board of Commissioners, appointed by the last Legislature, to report "on the feasibility of establishing a State University, embracing an Agricultural College, a School of Mining, and a Museum, including a geological collection of the State," I beg leave to state, that the completion of this report has been delayed by the press of official engagements of each of the three members of the Board.

We request, therefore, the indulgence of the Legislature for a period of ten days after the expiration of the time fixed for the handing in of our report, namely, the second Monday in December.

I am, with high respect,

Your obedient servant,

J. D. WHITNEY,
Chairman, etc.

I concur in the above request.

J. F. HOUGHTON.

Mr. Hill presented a petition of the Supervisors of the County of San Luis Obispo, relating to the collection of taxes.

Referred to the Committee on Ways and Means.

REPORTS.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

Mr. SPEAKER:—The Committee on Ways and Means, to whom was referred Senate bill No. 2, an Act providing for the furnishing of members and officers with postage stamps and express envelopes, have had the same under consideration, and beg leave to report the same back, with a substitute, and recommend the passage of the substitute.

ALLEN, Chairman.

Mr. Van Schaick made the following report :

Mr. SPEAKER:—The Santa Clara delegation, to whom was referred Assembly bill No. 13, an Act to fix the bonds of the Sheriff of Santa Clara County, report the same back, and recommend its passage;

Also, Assembly bill No. 14, an Act concerning jurors in Santa Clara County, report the same back, and recommend its passage.

VAN SCHAICK, for Delegation.

Mr. Ludlow, according to previous notice, offered the following resolution :

I move to amend Rule One, of Standing Rules of the Assembly, by striking out the word "eleven," and inserting the word "ten."

Lost.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 16th, 1863. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate yesterday concurred in Assembly concurrent resolution No. 6, tendering the thanks of the people to Ex-Governor Stanford;

Also, that the Senate yesterday amended Assembly concurrent resolution No. 7, relative to bills or resolutions ordered printed, by inserting "and Reporters of the Press," and adopted the resolution as amended, and ask concurrence of Assembly in the amendment;

Also, that the Senate yesterday appointed the following gentlemen Joint Committee on Printing: Messrs. Evans, Roberts, and Hamilton.

A. W. BISHOP,
Assistant Secretary.

Assembly concurred in Senate amendment to Assembly concurrent resolution No. 7, above reported.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Hill, for an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, eighteen hundred and sixty-three, approved March sixth, eighteen hundred and sixty-three;

Also, for an Act to extend the time for the collection of State and county taxes for the year eighteen hundred and sixty-three in the County of San Luis Obispo.

By Mr. Chappell, for an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity.

By Mr. Brown of Amador, for an Act amending the general election law, and to establish a uniform system of registry throughout the State.

By Mr. Scott, for an Act to amend section one of an Act to amend an Act entitled an Act to prohibit gaming, approved March seventh, eighteen hundred and sixty, approved April twenty-seventh, eighteen hundred and sixty-three.

By Mr. Owen, for an Act to amend the laws relating to gaming.

By Mr. Sumner, for an Act to provide for the election of Township Assessors and Collectors in the County of Butte.

By Mr. Snyder, for an Act in addition to and amendatory of an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed eighteen hundred and fifty-one, and other Acts amendatory thereof.

By Mr. Walker of Alameda, for an Act to amend section two of an Act entitled an Act to prevent the trespassing of animals on private property.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wright, for an Act amendatory of an Act entitled an Act providing for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Teare, for an Act to fix the terms of the County Court and Probate Court of the County of El Dorado.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Redfield, proposed amendments to the Constitution : Article II, Right of Suffrage ; Article IV, Legislative Department ; Article XI, Miscellaneous.

Ordered printed.

By Mr. Brown of Amador, for an Act granting the right of way to construct a plank and turnpike road from a point in Hope Valley through Carson Cañon to the eastern terminus of said cañon.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Allen, for an Act to grant the right to construct and maintain a bridge across the Mokelumne River.

Read first and second times, and referred to the San Joaquin and Sacramento delegations.

By Mr. Hirst, for an Act authorizing the Board of Supervisors of Klamath County to levy a special tax to create a Contingent Fund for said county.

Read first and second times, and referred to the Klamath and Del Norte delegations.

By Mr. Walker of Alameda, for an Act to amend an Act entitled an Act to provide for the maintenance and supervision of Common Schools, approved April sixth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Education.

GENERAL FILE.

Assembly bill No. 6, an Act to create a Contingent Fund for Humboldt County—amendment adopted, and ordered engrossed.

The proposed amendments to the Constitution offered by Mr. Scott were ordered printed.

There being no further business, on motion of Mr. Wiley, at eleven o'clock and forty-five minutes A. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, December 17th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker appointed Mr. Dyer Chairman of the Committee on Engrossment.

REPORTS.

Mr. Chappell, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 1, an Act to amend an Act entitled an Act to authorize the formation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine;

Also, Assembly bill No. 4, an Act to extend the time for the collection of taxes in the County of Lake.

CHAPPELL, for Committee.

Mr. Badlam, from the Joint Committee on Printing, made the following report:

MR. SPEAKER:—The Joint Committee on Printing have given the subject of printing the Governor's Message and accompanying documents, also Governor Low's Inaugural Address, their careful attention, and respectfully report the following as the number of each that, in our judgment, should be ordered printed, to wit:

Of the Governor's Annual Message, four thousand three hundred and twenty copies in English, and four hundred and eighty copies in Spanish.

Of the Inaugural Address, four thousand three hundred and twenty copies in English, and four hundred and eighty copies in Spanish.

Of the Controller's, Surveyor-General's, and Treasurer's Reports, nine hundred and sixty copies of each in English, and two hundred and forty copies in Spanish.

Of the Report of the Superintendent of Public Instruction, four thousand three hundred and twenty copies in English, and four hundred and eighty copies in Spanish.

Of the Adjutant-General's Report, one thousand nine hundred and twenty copies in English, and two hundred and forty copies in Spanish.

Of the Report of the State Geologist, two thousand four hundred copies.

Of the Reports of the Directors and Resident Physician of the Insane Asylum, and of the Secretary of State, nine hundred and sixty copies each.

Of the Swamp Land Commissioners' Report, one thousand nine hundred and twenty copies.

Of the Reports of the State Prison Directors, State Librarian, State Capitol Commissioners, State Harbor Commissioners, and Trustees of the State Reform School, four hundred and eighty copies of each.

Of the Report of the Trustees of the California Institution for the education of the indigent Deaf, Dumb, and Blind, two hundred and forty copies.

And that the State Printer be directed to furnish the Adjutant-General with one thousand copies of his report for distribution to the officers of the California Volunteers and State militia.

And to the Superintendent of Public Instruction two thousand copies of his report for distribution to the Teachers and School Trustees throughout the State, and for exchange with other States.

And to the Surveyor-General two hundred and forty copies of his report for distribution to the County Surveyors, Assessors, and County Clerks of the State.

And to the Attorney-General one hundred copies of his report for distribution to the District Attorneys throughout the State.

And to the Directors of the State Insane Asylum two hundred and forty copies, and the Resident Physician one hundred copies, for distribution at their discretion.

And to the Trustees of the State Reform School one hundred and twenty copies of their report for distribution at their discretion.

And deliver the rest as soon as printed to the Sergeants-at-Arms of the two Houses, to be distributed pro rata among the members of this Legislature.

All of which is respectfully submitted.

BADLAM,

For Assembly Committee.

EVANS, /

For Senate Committee.

Adopted.

Mr. Wilsey made the following report :

MR. SPEAKER:—The Mendocino delegation, to whom was referred Assembly bill No. 3, an Act to authorize Ruel Stickney and his associates to construct a bridge over Big River, Mendocino County, have had the same under consideration, and recommend its passage.

WILSEY, for Delegation.

Mr. Wright made the following report :

MR. SPEAKER:—The special committee appointed to report Rules for

the government of this House, and to confer with a similar committee on the part of the Senate in relation to Joint Rules, have performed the duties assigned them, and recommend the adoption of the accompanying Standing and Joint Rules.

WRIGHT, for Committee.

STANDING RULES OF THE ASSEMBLY.

1.

MEETING.

The House shall meet, each day of sitting, at eleven o'clock, A. M., unless the House shall adjourn to some other hour.

2.

ORDER OF BUSINESS.

After the reading and approval of the Journal, the order of business shall be as follows:

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Motions and Resolutions.
6. Messages from the Senate.
7. Notices.
8. Second Reading and Reference of Bills.
9. Introduction and First Reading of Bills.
10. Business on General File, and Third Reading of Bills.
11. Unfinished Business of the Preceding Day.
12. Special Orders of the Day.

3.

It shall be in order for the Committee on Enrolled and Engrossed Bills to report at any time.

4.

Messages from the Governor, State Officers, and from the Senate, may be considered at any time by a vote of the House.

5.

PETITIONS.

Petitions, Memorials, and other papers, addressed to the House, shall be presented by the Speaker, or by a member, in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as this House shall determine.

6.

BILLS.

Every bill shall be introduced by giving at least one day's notice, or by leave of two thirds of the House, except such bill shall be introduced by a committee, in accordance with a rule of the House.

7.

Every bill shall receive three readings previous to its passage. The Speaker shall give notice at each reading, whether it be the first, second, or third reading. The first and second readings shall be on the same day, unless an objection be interposed. No bill shall be amended or committed until twice read. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be, "Shall this bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall then take the usual course.

8.

General appropriation bills shall be in order in preference to any other bills, unless otherwise ordered by a majority of the House.

9.

All proceedings touching appropriations of money shall first be considered in a Committee of the Whole House; and no addition to any appropriation shall be made out of Committee of the Whole.

10.

A bill or resolution may be committed, with special instructions, at any time before the final vote is taken.

11.

DUTIES OF SPEAKER.

He shall take the Chair precisely at the hour appointed for meeting, shall immediately call the House to order, and on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

12.

He shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any two members, on which appeal no member shall speak more than once, unless by leave of the House.

13.

He shall have a general direction of the Hall. He shall have a right

to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

14.

All Acts, Addresses, and Joint Resolutions, shall be signed by the Speaker; and all writs, warrants, and subpoenas, issued by order of the House, shall be under his hand, attested by the Clerk.

15.

In case of any disturbance or disorderly conduct in the galleries, or lobby, the Speaker, (or Chairman of the Committee of the Whole House,) shall have power to order the same to be cleared.

16.

SERGEANT-AT-ARMS AND DOORKEEPER.

The Sergeant-at-Arms shall attend the House, during its sittings, to execute the commands of the House, and all process issued by authority thereof, directed to him by the Speaker. He shall be sworn to keep the secrets of the House.

17.

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar; and for travelling expenses for himself or a special messenger, going and coming, twenty-five cents per mile. But no compensation shall be allowed for the arrest, custody, or releasement of members, under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for arrests, custody, and release, of members, shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

18.

The Doorkeeper shall be sworn to keep the secrets of the House.

19.

The Standing Committees of the House shall be as follows:

1. A Committee on Elections, to consist of seven members.
2. A Committee on Corporations, to consist of seven members.
3. A Committee on Public Printing, to consist of seven members.
4. A Committee on Claims, to consist of five members.
5. A Committee on Ways and Means, to consist of nine members.
6. A Committee on Judiciary, to consist of eleven members.
7. A Committee on Military Affairs, to consist of five members.
8. A Committee on Counties and County Boundaries, to consist of seven members.
9. A Committee on Commerce and Navigation, to consist of five members.
10. A Committee on Education, to consist of five members.

11. A Committee on Agriculture, to consist of five members.
12. A Committee on Internal Improvements, to consist of five members.
13. A Committee on Public Buildings and Grounds, to consist of five members.
14. A Committee on Public Expenditures and Accounts, to consist of five members.
15. A Committee on Mines and Mining Interests, to consist of seven members.
16. A Committee on Public Lands, to consist of seven members.
17. A Committee on Federal Relations, to consist of seven members.
18. A Committee on Engrossment, to consist of five members.
19. A Committee on Enrolment, to consist of three members
20. A Committee on State Prison, to consist of seven members.
21. A Committee on Mileage, to consist of five members.
22. A Committee on Public Morals, to consist of five members.
23. A Committee on State Hospitals, to consist of five members.
24. A Committee on Indian Affairs, to consist of five members.
25. A Committee on Swamp and Overflowed Lands, to consist of eleven members.
26. A Committee on Roads and Highways, to consist of five members.
27. A Committee on the Culture and Improvement of the Grape Vine, to consist of seven members.
28. A Committee on State Library, to consist of three members.

20.

All Committees shall be appointed by the Speaker, unless otherwise specially directed by the House.

21.

It shall be the duty of the Committee on Elections to examine and report upon the certificate of election, or other credentials, of the members returned to serve in this House, and to take into their consideration all such petitions, and other matters touching elections and returns, as shall or may be presented, or come into question, and be referred to them by the House.

22.

It shall be the duty of the Committee on Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House; to inquire into the state of the public debt, or the revenue, and of the expenditure, and report from time to time their opinion thereon.

23.

It shall be the duty of the Committee on Claims to take into consideration all such petitions, and matters or things touching claims and demands on the State, as shall be presented, or shall or may come in question, and be referred to them by the House, and to report their opinion thereupon.

24.

It shall be the duty of the Committee on Commerce to take into con-

sideration all such petitions, and matters or things touching the commerce of the State, as shall be presented, or shall or may come into question, and be referred to them by the House, and to report from time to time their opinion thereon.

25.

It shall be the duty of the Committee on Public Lands to take into consideration all such petitions, and matters or things respecting the lands of the State, as shall or may come into question, and be referred to them by the House, and to report from time to time their opinion thereon.

26.

It shall be the duty of the Committee on Public Expenditures and Accounts to examine the books and accounts of the several public departments; and to examine particularly into laws making appropriations of money, and to report whether the moneys have been disbursed conformably with such laws; and also to report from time to time such provisions and arrangements as may be necessary to add to the economy of the departments, and the accountability of their offices; and to report from time to time the character and amount of the various appropriations made by the Legislature.

27.

It shall be the duty of the Committee on Military Affairs to take into consideration all subjects relating to the military establishment and public defence, which may be referred to them by the House, and to report their opinion thereupon; and also to report, from time to time, such measures as may contribute to economy and accountability in said establishments.

28.

It shall be the duty of the Committee on Internal Improvements to take into consideration all such petitions, and matters and things relating to roads and canals, and the improvement of the navigation of rivers, as shall be presented or may come into question, and be referred to them by the House, and to report thereupon.

29.

It shall be the duty of the Committee on Public Buildings and Grounds to consider all subjects relating to the public edifices and grounds within the Seat of Government, which may be referred to them, and report their opinion thereon.

30.

It shall be the duty of the Committee on Mileage to ascertain and report the distance for which each member shall receive pay.

31.

It shall be the duty of the Committee on the Culture and Improvement of the Grape Vine to consider and report upon all matters relating to the culture of the grape and the production of wine in this State.

No committee shall be permitted to employ a Clerk at the expense of the State, without first obtaining leave of two thirds of the House for that purpose.

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order :

The Committee of the Whole House ;

A Standing Committee ;

A Select Committee.

In forming a Committee of the Whole House, a Chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House, shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the House by the Chairman. After report, the bill shall again be subject to amendment before the question is taken.

The Rules of the House shall be observed in Committee of the Whole, so far as may be applicable, except limiting the times of speaking, and except that the ayes and noes shall not be taken.

A motion that the Committee rise, shall always be in order, and shall be decided without debate.

DECORUM AND DEBATE.

If any member, in speaking or otherwise, transgress the Rules of the House, the Speaker shall or any member may call to order—in which case the member so called to order shall immediately sit down, unless permitted to explain ; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed, but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House ; but no discussion of a question of order shall be allowed unless an appeal be taken from the decision of the Chair.

When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

Every member when he speaks shall, standing in his place, address "Mr. Speaker;" and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one

question on the same day and at the same stage of proceedings, without leave; and members who have once spoken shall not again be entitled to the floor, (except for explanation,) to the exclusion of others who have not spoken.

40.

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken, or other business has intervened after the words spoken, and before exception to them shall have been taken.

41.

Any member may rise to explain a matter personal to himself with leave of the Chair, but shall not discuss a question in such explanation.

42.

If a question pending be lost by adjournment of the House and revived on the succeeding day, no member who shall have spoken on the preceding day shall be permitted again to speak without leave of two thirds of the House.

43.

MOTIONS, ETC.

No motion shall be debated until the same be seconded, and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn at any time before amendment or decision.

44.

A motion to adjourn, or fix the time to which the House will adjourn, shall always be in order. The Clerk shall enter on the Journal the name of any member moving an adjournment, and also the hour at which the motion was made.

45.

When a question is under debate or before the House, no motion shall be received but: To adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit, or amend; to postpone indefinitely—which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate. And no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill or resolution, shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

46.

The previous question shall be in this form: "Shall the main question

be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate, and bring the House to a vote on the question or questions before it.

47.

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided, (whether on appeal or otherwise,) without debate.

48.

The previous question shall only be put when demanded by three members.

49.

When a question is postponed indefinitely, the same shall not again be introduced during the session.

50.

Any member may call for a division of the question, which shall be divided, if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

51.

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therein, any other bill or resolution pending before the House.

52.

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by unanimous consent of the House.

53.

No bill or other matter shall be printed without first being specially ordered by the House, and the Sergeant-at-Arms shall be required to certify to the reception, by the House, of all such printed matter, and the quantity, before payment shall be made or bills audited.

54.

Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

55.

In filling up blanks, the least sum and shortest time shall be first put

56.

All questions relating to the priority of business shall be decided without debate.

57.

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House, without debate.

58.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken; said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. But there shall be no reconsideration of a vote on a motion to indefinitely postpone.

59.

In all cases of election by the House, the vote shall be taken *viva voce*.

60.

The ayes and noes shall be taken when called for by three members present, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

61.

No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

62.

No member shall vote on any question in the result of which he is personally interested or involved.

63.

Upon a division and count of the House on any question, no person without the bar shall be counted.

64.

No member shall be allowed to explain his vote, or discuss the question, while the ayes and noes are being called; and no member shall be allowed to change his vote after the vote is announced from the Chair.

65.

CALL OF THE HOUSE.

Upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which, the names of the absentees shall again be called over. The doors shall then be shut, and those for whom no excuse, or insufficient excuses, are made, may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody, by the Sergeant-at-Arms, wherever to be found, or by special messenger, to be appointed for that purpose.

66.

MISCELLANEOUS.

No Standing Rule or Order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily, by a vote of two thirds of the members present, except that portion of Rule 7 relating to third reading of bills.

67.

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

68.

No persons, except Senators, State Officers, and ladies, shall be admitted within the bar of the House, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the House cleared of all such persons.

69.

No smoking shall be allowed within the Assembly Chamber during the session of the House.

70.

The rules of parliamentary practice contained in Cushing's Law and Practice of Legislative Assemblies shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House, and the Joint Rules of the Senate and House of Assembly.

71.

The Assembly Room shall not be used for any public or private business, other than legislative, except by permission of the House.

72.

Witnesses summoned to appear before the House, or any of its Committees, shall be paid as follows: For each day a witness shall attend, the sum of two dollars. For each mile he shall travel, in coming to, or going from, the place of examination, the sum of twenty-five cents; but nothing shall be paid for travelling home when the witness has been summoned at the place of trial. No mileage shall be paid except where the witness has actually travelled for the purpose of giving testimony.

73.

It shall be in order for any member or members to protest against action of the House, and have such protest entered upon the minutes.

74.

All bills reported to the House, by either standing or special committees, after receiving their second readings, shall be placed upon a general file to be kept by the Clerk, and no bill shall be considered by the House until the regular order of business shall have been gone through, and then bills shall be taken from the general file and acted upon in the order in which they were reported, unless otherwise specially ordered by the House. But engrossed bills shall be placed at the head of the file, in the order in which they are received. The Clerk shall post, in a conspicuous place in the Chamber, a daily statement of the bills on the general file, setting forth the order in which they are filed, and specifying the alterations arising from the disposal of business each day.

75.

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

76.

No increase of the pay of any officer or attaché of the Assembly shall be made by resolution, except by unanimous consent.

JOINT RULES.

1.

In every case of an amendment of a bill agreed to in one House and dissented from in the other, if either House shall request a conference and appoint a committee to confer, the other House shall appoint a like committee; and such committees shall meet at a convenient hour, to be agreed upon by their respective Chairmen, and shall confer upon the differences between the two Houses, and shall report as early as conveni-

ent the result of their conference to their respective Houses for their action.

2.

When a message shall be sent from either House, it shall be announced at the door by the Doorkeeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

3.

Messages shall be sent by the Secretary, Clerk, or by such person as a sense of propriety of each House may determine to be proper.

4.

Notice of the action of either House to the other shall be on paper, and under the signature of the Secretary or Clerk of the House from which such notice is to be conveyed.

5.

After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the Assembly or of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the Governor of the State.

6.

When bills are enrolled, they shall be examined by the Enrolling Committee of the House in which they originate, who shall carefully compare the enrolment with the engrossed bill, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bill, make their report forthwith to the House in which the bill originated, stating by whom such bill was examined.

7.

After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the Assembly, then by the President of the Senate.

8.

After a bill shall have thus been signed in each House, it shall be presented by the Enrolling Committee of the House in which it originated to the Governor of the State for his approval, (it being first indorsed on the back of the roll by the Secretary or Clerk, as the case may be, certifying in which House the bill originated.) The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journals of the House in which the bill originated.

9.

All orders, resolutions, and votes, which are to be presented to the Governor of the State for his approbation, shall also, in the same manner, be previously enrolled, examined, and signed, and shall be presented

in the same manner, and by the same committee, as provided in the case of bills.

10.

When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber, by the President of the Senate, in the presence of the Speaker and both Houses.

11.

When a bill or resolution which shall have passed in one House, is rejected by the other, notice thereof shall be given to the House in which the same shall have passed.

12.

When a bill or resolution which has been passed in one House, shall be rejected in the other, it shall not be brought in during the same session without a notice of five days, and leave of two thirds of that House in which it shall be renewed.

13.

Each House shall transmit to the other papers on which any bill or resolution shall be founded.

14.

After each House shall have once adhered to their disagreement, a bill or resolution shall be lost.

15.

No bill or resolution that shall have passed the Assembly and Senate shall be presented to the Governor for his approval on the last day of the session.

16.

No appropriations of money, for any purpose whatever, shall be made except by bill.

17.

Each House may order the printing of bills introduced and reports of its own committees, but no other printing shall be ordered except by a concurrent resolution passed by both Houses.

18.

There shall be a Joint Standing Committee of three from each House, who shall examine all matter proposed to be printed by concurrent order, and shall report what part of such matter it is needful to print.

19.

No spirituous liquors shall be offered for sale or introduced within any

portion of the building which is used for State purposes, or is under the control of this Legislature.

20.

No increase of the pay of any officer or attaché of the Senate or Assembly shall be made by resolution, except by unanimous consent.

21.

All concurrent or joint resolutions, which relate to or contain communications to the Federal Government, shall be treated in all respects as bills.

The report was adopted and ordered printed.

Mr. Hirst made the following report :

MR. SPEAKER:—The delegation, to whom was referred Assembly bill No. 29, an Act authorizing the Board of Supervisors of Klamath County to levy a special tax to create a Contingent Fund, beg leave to report the same back to the House, and recommend its passage.

HIRST, for Delegation.

Mr. Scott of Alameda offered the following resolution :

Resolved, That the Assembly now proceed to the election of a Second Assistant Clerk, whose duty it shall be to assist the Clerks at the desk, and whose per diem shall be the same as allowed by law to the Assistant Clerk.

Adopted.

FOR SECOND ASSISTANT CLERK.

The following named persons were placed in nomination : William N. Slocum, R. D. H. Yeackley, and E. S. Davenport.

The roll was then called, with the following result :

| Names. | Slocum. | Yeackley. | Davenport. |
|--------------------------------|---------|-----------|------------|
| Allen..... | 1 | ..... | ..... |
| Alley..... | 1 | ..... | ..... |
| Badlam..... | 1 | ..... | ..... |
| Beaman | 1 | ..... | ..... |
| Bowman..... | 1 | ..... | ..... |
| Boulware..... | 1 | ..... | ..... |
| Brooks..... | 1 | ..... | ..... |
| Brown of Amador..... | 1 | ..... | ..... |
| Brown of Tulare..... | 1 | ..... | ..... |
| Buffum..... | 1 | ..... | ..... |
| Campbell of El Dorado ..... | ..... | ..... | 1 |
| Campbell of San Francisco..... | 1 | ..... | ..... |
| Castro ..... | ..... | ..... | 1 |
| Chappell... .. | 1 | ..... | ..... |

| Names. | Slocum. | Yeackley. | Davenport. |
|------------------------|---------|-----------|------------|
| Cherry..... | 1 | | |
| Clayton | 1 | | |
| Devoe | | | 1 |
| Dickinson..... | 1 | | |
| Dodson..... | 1 | | |
| Dow..... | | | 1 |
| Dutton..... | 1 | | |
| Dyer..... | 1 | | |
| Erkson..... | 1 | | |
| Fraser..... | | | 1 |
| Gray..... | 1 | | |
| Green..... | 1 | | |
| Hartsough..... | 1 | | |
| Hill..... | 1 | | |
| Hittell..... | 1 | | |
| Hoag..... | 1 | | |
| Hubbard..... | 1 | | |
| Hunt..... | | 1 | |
| Jenison..... | 1 | | |
| Johnson..... | | | 1 |
| Kendrick..... | 1 | | |
| Kewen..... | 1 | | |
| Langdon..... | 1 | | |
| Littlefield..... | 1 | | |
| Ludlow..... | 1 | | |
| Lux..... | | 1 | |
| Lynch..... | 1 | | |
| Martin..... | | | 1 |
| McColliam | 1 | | |
| Mebius..... | 1 | | |
| Owen | 1 | | |
| Parker.. .. | | | 1 |
| Perley..... | 1 | | |
| Perrin..... | 1 | | |
| Personette | 1 | | |
| Redfield..... | 1 | | |
| Rhoads..... | | 1 | |
| Rule..... | 1 | | |
| Scott of Alameda..... | 1 | | |
| Scott of Siskiyou..... | | | 1 |
| Sepulveda | 1 | | |
| Smith of Nevada..... | 1 | | |
| Smith of Sonoma | | | 1 |
| Snyder..... | 1 | | |
| Sumner..... | 1 | | |
| Teare..... | | | 1 |
| Tukey..... | 1 | | |
| Van Leuven..... | 1 | | |
| Van Schaick..... | 1 | | |
| Walker of Alameda..... | 1 | | |
| Walker of Fresno.. .. | 1 | | |

| Names. | Slocum. | Yeackley. | Davenport. |
|-----------------|---------|-----------|------------|
| Wason..... | 1 | ..... | ..... |
| Watson..... | ..... | 1 | ..... |
| Weston..... | 1 | ..... | ..... |
| Wiley..... | ..... | ..... | 1 |
| Wilsey..... | 1 | ..... | ..... |
| Winchester..... | 1 | ..... | ..... |
| Whallon..... | 1 | ..... | ..... |
| Wood..... | 1 | ..... | ..... |
| Wright..... | 1 | ..... | ..... |
| Totals..... | 58 | 4 | 13 |

| | |
|----------------------------------|----|
| Whole number of votes cast..... | 74 |
| Necessary to a choice..... | 38 |
| William N. Slocum received | 58 |
| R. D. H. Yeackly received..... | 4 |
| E. S. Davenport received..... | 12 |

William N. Slocum having received a majority of all the votes cast, was declared duly elected Second Assistant Clerk of the Assembly.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 17th, 1863. }

Mr. SPEAKER:—I am directed to transmit the documents accompanying the Governor's message to the Assembly, for their action, and herewith present the same.

A. W. BISHOP,
Assistant Secretary.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Owen, for an Act to enable mining corporations to change their place of business.

By Mr. Martin, for an Act in relation to Clerk of the Supreme Court.

By Mr. Scott of Siskiyou, for an Act to repeal Article Third (3d) of section first (1st) of an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three.

By Mr. Alley, for an Act to amend section one of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three.

By Mr. Teare, for an Act providing an appropriation to procure uniforms for volunteer militia companies organized previous to the first day of December, eighteen hundred and sixty-three.

By Mr. Wiley, for an Act to regulate the fees of Public Administrators.

By Mr. Wason, for an Act to create a Redemption Fund for Solano County.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hill, for an Act to extend the time for the collection of State and county taxes, for the year eighteen hundred and sixty-three, in the County of San Luis Obispo.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hittell, for an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Parker, for an Act to amend an Act entitled an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and sixty-two, as amended by an Act approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Parker, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Gray, for an Act to exempt the property of the San Francisco Ladies' Protection and Relief Society from taxation.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Owen, for an Act amendatory of an Act to amend an Act entitled an Act to prohibit gaming, approved March seventh, eighteen hundred and sixty, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Public Morals.

By Mr. Hubbard, for an Act to provide for the support of paupers.

Read first and second times, and referred to the Committee on Hospitals.

Also, for an Act concerning Work-houses for the several counties in the State of California.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Walker of Alameda, for an Act to amend an Act entitled an Act to prevent the trespassing of animals upon private property, passed March thirty-first, eighteen hundred and fifty-five.

Read first and second times, and referred to the Committee on Agriculture.

GENERAL FILE.

Assembly bill No. 13, an Act to fix the bonds of the Sheriff of Santa Clara—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 2, an Act providing for the furnishing of members and officers with postage stamps and express envelopes—reported with Assembly substitute, considered in Committee of the Whole, (Mr. Cherry in the Chair.)

IN ASSEMBLY.

Substitute reported and recommended, adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 14, an Act concerning jurors in Santa Clara County—considered, and referred to Judiciary Committee, with instruction to report a general bill.

Assembly bill No. 1, an Act to amend an Act entitled an Act to authorize the incorporation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine—considered, and returned to file.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
December 17th, 1863. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, passed Senate bill No. 24, an Act to transfer certain funds.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER.
December 17th, 1863. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on yesterday, passed Senate bill No. 9, an Act to establish the compensation of the Supervisors of El Dorado County ;

Also, passed Senate bill No. 27, an Act to fix the salary of the County Judge of Monterey.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 24, above reported, read first and second times, considered in Committee of the Whole, (Mr. Owen in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, read third time, and passed.

Senate bill No. 9, above reported, read first and second times, and referred to the El Dorado delegation.

Senate bill No. 27, above reported, read first and second times, and referred to the Judiciary Committee.

There being no further business, on motion of Mr. Walker, at twelve o'clock and forty-seven minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, December 18th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The petition of Conklin Bush and others, of Brooklyn, respecting certain bonds of the City and County of Sacramento, was referred to the Committee on Claims.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 6, an Act to create a Contingent Fund for the County of Humboldt.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 25, an Act amendatory to an Act providing for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three, report the same back, and recommend its passage ;

Also, Assembly bill No. 26, an Act to fix the terms of the County Court and Probate Court of the County of El Dorado, report the same back, and recommend its passage ;

Also, Assembly bill No. 41, an Act to extend the time for the collection of State and county taxes for the year eighteen hundred and sixty-three in the County of San Luis Obispo, report the same back amended, and recommend its passage as amended ;

Also, Assembly bill No. 16, an Act concerning certain indictments, report the same back, and recommend its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

MR. SPEAKER:—The Committee on Military Affairs, to whom was referred Assembly bill No. 20, an Act authorizing the Controller to draw his warrants on the Treasurer for audited claims upon the Military Fund, have had the same under consideration, report the same back with amendments, and recommend its passage as amended.

WOOD, Chairman.

The rules were suspended, and bill above reported taken up, considered in Committee of the Whole, (Mr. Owen in the Chair.)

IN ASSEMBLY.

Reported and recommended, report and amendment adopted, rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Hill, the rules were suspended, and Assembly bill No. 41, an Act to extend the time for the collection of State and county taxes, for eighteen hundred and sixty-three, in the County of San Luis Obispo, taken up.

Amendment adopted, rules suspended, considered engrossed, read third time, and passed.

Mr. Badlam, from the Joint Committee on Printing, made the following report :

Mr. SPEAKER :—The Joint Committee on Printing respectfully report in favor of and recommend that four hundred and eighty copies of the Attorney-General's report be printed.

BADLAM,
For Assembly Committee.
EVANS,
For Senate Committee.

Mr. Teare, from the El Dorado delegation, made the following report :

Mr. SPEAKER :—The El Dorado delegation, to whom was referred Senate bill No. 9, an Act to establish the compensation of the Supervisors of El Dorado County, have had the same under consideration, and beg leave to report it back, and respectfully recommend its passage.

TEARE, for Delegation.

The documents accompanying the Governor's Annual Message were referred to the Joint Committee on Printing.

Mr. Campbell of San Francisco, had leave to withdraw Assembly bill No. 18, the same being incorrectly entitled.

RESOLUTIONS.

Mr. Martin offered the following resolution :

Resolved, That the Sergeant-at-Arms of the Assembly be and is hereby authorized to furnish the Committee and Clerks' rooms with furniture, fuel, and light necessary for the uses to which they are intended.

Mr. Scott of Alameda offered the following amendment: Amend by striking out the "Sergeant-at-Arms," and insert "Chairmen of Committees."

Lost.

Mr. Watson moved to amend by allowing the Chairmen of Committees to instruct the Sergeant-at-Arms what to furnish.

Lost.

The resolution was adopted.

Mr. Hubbard offered the following resolution :

Resolved. By the Assembly, the Senate concurring, that when the two houses adjourn on Wednesday, December twenty-third, they adjourn to meet again on Monday, January fourth, eighteen hundred and sixty-four.

Mr. Dodson moved to lay the resolution on the table.

On which, the ayes and noes were demanded, by Messrs. Wilcox, Hittell, and Scott of Alameda, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Alley, Bowman, Boulware, Brooks, Brown of Amador, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Dickinson, Dodson, Dow, Dutton, Dyer, Erkson, Gray, Hart-sough, Hittell, Kendrick, Kewen, Ludlow, Lux, Lynch, Martin, Mebius, Owen, Parker, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Van Leuven, Walker of Fresno, Watson, Weston, Wilcox, Wiley, and Wood—48.

NOES—Messrs. Badlam, Beaman, Brown of Tulare, Buffum, Campbell of El Dorado, Devoe, Fraser, Hoag, Hubbard, Hirst, Jenison, Langdon, Littlefield, McColliam, Personette, Redfield, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Wilsey, Winchester, Whallon, and Wright—25.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 18th, 1863. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate, yesterday, passed Assembly bill No. 42, an Act providing for the furnishing of members and officers of the Legislature with postage stamps and Express envelopes ;

Also, that the following gentlemen were appointed, this day, on the part of the Senate, to the Joint Committee on Translator, as provided by Senate concurrent resolution No. 8 : Messrs. Shafter, Evans, and Lovett.

A. W. BISHOP,
Assistant Secretary.

On motion of Mr. Cherry, Assembly bill No. 1, relating to rural cemeteries, was made the special order for Wednesday, December twenty-third, at twelve o'clock M.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Van Leuven, for an Act to repeal section four of an Act entitled an Act approved April fifteenth, eighteen hundred and sixty-one, so far as it restricts the Board of Supervisors of said county from creating more than one Election Precinct in the Valley of Yucipa and the City of San Bernardino.

By Mr. Erkson, for an Act to exempt the armories and property of military companies of the State militia from taxation.

By Mr. Brown of Amador, for an Act providing for the revising, codifying, and compiling the statute laws of the State of California.

By Mr. Alley, for an Act to change the manner of drawing grand and trial jurors in the Counties of Sierra and Plumas.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wood, for an Act amendatory of and supplementary to an Act concerning crimes and punishments, passed April seventeenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Scott of Alameda, for an Act to fix the bonds of the Sheriff of the County of Alameda.

Read first and second times, and referred to the Alameda delegation.

GENERAL FILE.

Assembly bill No. 4, an Act to extend the time for the collection of taxes in the County of Lake.

Mr. Whallon moved to recommit with special instructions to insert after the word "Lake," the word "Sonoma."

Lost.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Hittell, Scott of Alameda, and Watson, and taken, with the following result:

AYES—Messrs. Badlam, Beaman, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clayton, Devoe, Dickinson, Dodson, Dow, Dyer, Erksan, Fraser, Gray, Hartsough, Hubbard, Hirst, Jenison, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Lynch, Martin, McColliam, Mebius, Parker, Perrin, Personette, Pratt, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Watson, Weston, Wiley, Wilsey, and Wood—54.

NOES—Messrs. Bowman, Boulware, Brooks, Dutton, Hittell, Hoag, Redfield, Rule, Scott of Alameda, Snyder, Watson, Winchester, and Wright—13.

So the bill was passed.

Assembly bill No. 29, an Act authorizing the Board of Supervisors of Klamath County to levy a special tax to create a Contingent Fund for said county—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 3, an Act to grant to Ruel Stickney the right to construct and maintain a bridge across Big River—rules suspended, considered engrossed, read third time, and passed.

There being no further business, at twelve o'clock and thirty-five minutes, on motion of Mr. Wright, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, December 19th, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Mr. Perley was granted leave of absence for one day, and Mr. Wood leave for three days.

Prayer by the Chaplain.

RESOLUTIONS.

Mr. Redfield offered the following resolution :

Resolved, That the use of the Assembly Chamber be and is hereby granted to J. E. Vinton, for the purpose of delivering a Temperance Address. on the evening of Tuesday, December twenty-second, eighteen hundred and sixty-three.

Adopted.

Mr. Brown of Amador offered the following resolution :

Resolved, that the Committee on Swamp and Overflowed Lands be requested to examine into the condition of that Fund, the amount on hand, and what disposition should be made of the same, and report as soon after the first day of January next as convenient, either by bill or otherwise.

Adopted.

Mr. Devoe offered the following resolution :

Resolved, by the Assembly, the Senate concurring. that when the two Houses adjourn on Wednesday, December twenty-third, they adjourn to meet again on Tuesday, January fifth, eighteen hundred and sixty-four.

Mr. Cherry moved to lay the resolution on the table.

The House so ordered.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Smith of Nevada, for an Act to regulate the sale of spirituous liquors.

By Mr. Wiley, for an Act concerning the power of establishing Election Precincts.

By Mr. Badlam, for an Act authorizing the Controller of State to issue a duplicate warrant to Amos Adams of Sacramento—said warrant, Number Five Thousand Six Hundred and Nine, having been destroyed by fire.

By Mr. Teare, for an Act fixing the amount of the official bonds of the Public Administrator of El Dorado County.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Watson, for an Act for the better protection of the agricultural interests of this State, and the more effectual prevention of the trespassing of animals on private property.

Read first and second times, referred to the Committee on Agriculture, and ordered printed.

By Mr. Owen, for an Act to authorize mining companies to change their places of business.

Read first and second times, and referred to the Committee on Mines and Mining Interests.

By Mr. Scott of Alameda, for an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April twentieth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Alameda delegation.

By Mr. Hartsough, for an Act fixing the salary of the District Attorney of the County of Yolo.

Read first and second times, and ordered on file.

By Mr. Dodson, for an Act amendatory of an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

Read first and second times, and referred to the Committee on Mileage.

By Mr. Erkson, for an Act to exempt the armories and property of military companies of the State militia from taxation.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Badlam, for an Act entitled an Act to exempt active and exempt firemen from jury duty in the City of Sacramento.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Snyder, for an Act to repeal an Act to amend an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty, approved April twenty-sixth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Committee on Public Morals.

GENERAL FILE.

Assembly bill No. 31, proposed amendments to the Constitution—referred to the Judiciary Committee.

Assembly bill No. 6, an Act to create a Contingent Fund for Humboldt County—read third time, and passed.

Assembly bill No. 16, an Act concerning certain indictments—indefinitely postponed.

Assembly bill No. 25, an Act amendatory of an Act entitled an Act providing for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three—ordered engrossed.

Assembly bill No. 26, an Act to fix the terms of the County Court and Probate Court of the County of El Dorado—ordered engrossed.

Senate bill No. 9, an Act to establish the compensation of the Supervisors of El Dorado County—read third time, and passed.

REPORT.

By leave, Mr. Buffum, Chairman of the Committee on Hospitals, made the following report :

Mr. SPEAKER :—Your Committee on Hospitals, to whom was referred Assembly bill No. 15, an Act relating to the legal settlement of paupers, having had the same under consideration, report it back, and recommend that the usual number of copies be ordered printed ;

Also, Assembly bill No. 32, an Act to provide for the support of paupers, report it back, and recommend that the usual number of copies be ordered printed ;

Also, Assembly bill No. 33, an Act for providing for Work-houses in the various counties of this State, report it back, and recommend that the usual number of copies be ordered printed.

BUFFUM, Chairman.

Report adopted.

At eleven o'clock and forty minutes, A.M., having gone through the order of business, on motion of Mr. Scott of Alameda, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, December 21st, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday last was read and approved.

Leave of absence was granted to Mr. Rule for two days, and to Messrs. Gray and Hirst for one day each.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 3, an Act to grant to Ruel Stickney the right to construct a bridge over Big River ;

Also, Assembly bill No. 13, an Act to fix the bonds of the Sheriff of Santa Clara ;

Also, Assembly bill No. 20, an Act to authorize the Controller to draw his warrants on the Treasurer for audited claims upon the Military Fund ;

Also, Assembly bill No. 29, an Act authorizing the Board of Supervisors of Klamath County to levy a special tax to create a Contingent Fund for said county ;

Also, Assembly bill No. 25, an Act amendatory of an Act entitled an

Act providing for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 26, an Act to fix the terms of the County and Probate Courts in the County of El Dorado.

DYER, Chairman.

Mr. Pratt presented a petition of H. T. Wright and others, in favor of passage of an Act for the better protection of the agricultural interests and the more effectual prevention of the trespassing of animals upon private property.

Referred to the Committee on Agriculture.

Mr. Personette made the following report :

MR. SPEAKER :—The Committee on Mileage, to whom was referred Assembly bill No. 49, an Act amendatory of an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and sixty-three, have had the same under consideration, and recommend its passage.

PERSONETTE, for Committee.

RESOLUTIONS.

Mr. Wiley offered a concurrent resolution respecting the adjournment of the Legislature over the holidays.

Mr. Snyder moved to lay the resolution on the table.

Lost.

Mr. Brown of Amador moved to take up the two resolutions relating to the same subject and refer the same to a special committee of three, and to report to-morrow morning.

Lost.

Mr. Tukey moved to strike out all relating to the Visiting Committees for public institutions.

Carried.

Mr. Erkson moved to strike out "January fifth," and insert "December twenty-ninth."

Lost.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Redfield, Hill, and Cherry, and, as amended, it was adopted by the following vote :

AYES—Messrs. Alley, Bowman, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dyer, Green, Hittell, Hunt, Kendrick, Kewen, Ludlow, Lux, Lynch, McColliam, Mebius, Parker, Perley, Personette, Pratt, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Tukey, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Wright—43.

NOES—Messrs. Allen, Badlam, Beaman, Brooks, Brown of Amador, Dodson, Dow, Dutton, Erkson, Fraser, Hill, Hoag, Hubbard, Jenison, Johnson, Langdon, Littlefield, Martin, Owen, Perrin, Redfield, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Van Leuven, Van Shaick, Walker of Alameda, and Walker of Fresno—29.

Mr. Jenison offered a preamble and joint resolution relating to the Nome Lackee Indian Reservation.

Read first and second times, and referred to the Committee on Indian Affairs.

Mr. Hittell offered the following resolution :

Resolved, That the Assembly Committee on Public Buildings be instructed to submit a report in regard to the new State Capitol on or before the twentieth of January next, with information of the amount of money hitherto expended, of the time since the commencement of the building, of the plans under which the work is now in progress, and of the time and money that will be required to finish the building, and their opinion as to the advisability of changing the plan in any manner.

Adopted.

Mr. Hittell offered the following resolution :

Resolved, That the Committee of Ways and Means be instructed to report the general appropriation bill on or before the twentieth of January next, without any donation to any agricultural society or to any charitable institution, unless it be under the control of State officers.

Mr. Tukey moved to strike out all relating to donations to agricultural and charitable institutions.

Pending consideration, Mr. Martin moved to lay the resolution on the table.

The House so ordered.

Mr. Snyder offered the following resolution :

Resolved, That the Committee on Mines and Mining Interests is authorized to appoint three of its members to visit the office of the State Geologist in San Francisco.

Lost.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
December 19th, 1863. }

Mr. SPEAKER :—I am directed to transmit the following documents to the Assembly, as requested by message from the Governor, to wit :

Report of Trustees of State Reform School, Report of Superintendent of Reform School, and Report of Assistant Superintendent of the same.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
December 21st, 1863. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the seventeenth instant, passed Senate bill No. 8, an Act to regulate the recording of stamped instruments in writing ;

Also, on the nineteenth instant, the Senate adopted Senate concurrent

resolution No. 9, relative to a railroad to Oregon, and ask the concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The report of the Trustees of the State Reform School, above reported, was referred, on motion of Mr. Martin, to a special committee of five.

Senate bill No. 8, above reported, read first and second times, and referred to Judiciary Committee.

Senate concurrent resolution No. 9, above reported, referred to Committee on Internal Improvements.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Brown of Amador, for an Act extending the time for collecting the delinquent taxes of Amador County, for the year eighteen hundred and sixty-three.

By Mr. Clark, for an Act to provide for more effectual means of obtaining the entire vote of the legal voters of this State, and to prevent errors and improper returns of election officers.

By Mr. Hill, for an Act concerning the Swamp Land Commissioners.

By Mr. Perley, for an Act to establish and maintain public Pounds for the better securing estrays and unruly cattle, horses, and other stock, in the County of San Joaquin ;

Also, for an Act for the improvement of the navigation of the Mokelumne River ;

Also, for an Act to repeal an Act regulating the fees of office of Justices of the Peace and Constables in the County of San Joaquin, passed April thirteenth, eighteen hundred and sixty-three.

By Mr. Wiley, for an Act to abolish the Fund known as the Hospital Fund of the State of California.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wilcox, for an Act to transfer certain funds.

Read first and second times, and ordered on file.

By Mr. Owen, for an Act concerning appeals in certain cases.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Langdon, for an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Walker of Alameda, for an Act concerning the compensation of jurors in the several counties of this State.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of Amador, for an Act to amend the election law, and to establish a uniform system of registry throughout the State.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Cherry, for an Act making appropriation for a deficiency in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Alley, for an Act to amend an Act entitled an Act to appropriate funds for the defence of the State.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Wiley, for an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress.

Read first and second times, and referred to the Committee on Elections.

Also, for an Act to amend an Act entitled an Act to amend an Act to regulate elections, approved April twenty-seventh, eighteen hundred and fifty-five.

Read first and second times, and referred to the Committee on Elections.

GENERAL FILE.

Assembly bill No. 48, an Act fixing the salary of the District Attorney of the County of Yolo—ordered engrossed.

There being no further business, and the House having progressed through the regular order thereof, on motion of Mr. Cherry, at twelve o'clock and sixteen minutes P. M., the Assembly adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, December 22d, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Teare was granted one day leave of absence.

PETITIONS.

Mr. Cherry presented a memorial of citizens of San Francisco, petitioning for a repayment of certain moneys paid into the Swamp and Overflowed Land Fund.

Referred to the Committee on Claims.

Mr. Cherry, by leave, introduced a bill for an Act for the relief of the parties therein named.

Read first and second times, and referred to the Committee on Claims.

REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, concurrent resolution No. 1, concerning the appointment of a committee to wait upon the Governor ;

Also, concurrent resolution No. 2, relative to an Act of Congress donating certain Public Lands to the several States for the benefit of agriculture and the mechanic arts ;

Also, concurrent resolution No. 6, tendering the thanks of the people of the State of California to ex-Governor Stanford ;

Also, concurrent resolution No. 7, relative to bills or resolutions ordered printed.

REDFIELD, Chairman.

Mr. Perrin, Chairman of the Committee on Internal Improvements, made the following report :

MR. SPEAKER —Your Committee on Internal Improvements, to whom was referred Senate concurrent resolution No. 9, relating to the construction of a railroad between this State and Oregon, have had it under consideration, report the same back to the House, and recommend its passage.

PERRIN, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 5, an Act to transfer all unfinished business and causes pending in the Courts of this State, also Assembly bill No. 11, an Act relative to suits which may be pending on the last day of the year, have had the same under consideration, and report, as a substitute for the same, the following : “ An Act providing for the transfer of cases on the first day of January next to the Courts established by the present Constitution,” and respectfully recommend its passage.

CAMPBELL of San Francisco, Chairman.

The rules were suspended, and the substitute above reported, Assembly bill No. 63, was taken up, read first and second times, rules further suspended, considered engrossed, read third time, and passed.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 27, an Act to fix the salary of the County Judge of Monterey County ; also, Assembly bill No. 8, an Act to fix the compensation of the County Judge of Lake County—have had the same under consideration, and report the same back, and respectfully recommend that they do not pass.

The committee, in submitting their report, deem it proper, in view of the grave constitutional question involved in the bills referred to them,

to submit their reasons for the disposition which they have recommended.

The Senate bill provides for the increase of the salary of the County Judge of Monterey County from twelve hundred dollars to fifteen hundred dollars; the Assembly bill provides for a diminishing of the salary of the County Judge of Lake County from the sum of one thousand dollars to the sum of five hundred dollars per annum.

The question raised in the bills is of the gravest and most important character, and is entitled to receive the most careful and attentive consideration of the Assembly.

It involves the construction of a constitutional provision, deeply affecting the judicial system of our State.

The proposition is to change the compensation fixed by law of a County Judge, *after* he has been elected for the constitutional term of four years, during the interim which takes place between the day of his election and the first day of the term for which he is elected. The Constitution, Article Six, section fifteen, contains the following provisions :

“The Judges of the Supreme Court, District Judges, and County Judges, shall, severally, at stated times during their continuation in office, receive for their services a compensation, which shall not be increased or diminished during the term for which they shall have been elected; *provided*, that County Judges shall be paid out of the County Treasury of their respective counties.”

It will be perceived that both the inhibitions of the Constitution are involved in the bills which your committee have had under consideration : while the Senate bill proposes to increase the compensation fixed by law at the time when the election took place, the Assembly bill proposes in another county to diminish the compensation so fixed and established.

It will not be denied that if the power exists in the one case, it can also be exercised in the other—that is, if the Legislature have the power to increase the compensation of Judges in the one case, they have also the power to diminish the compensation in the other.

In Article Six, section three, of the Constitution, it is provided as follows :

“The Justices of the Supreme Court shall be elected by the qualified electors of the State at special elections to be provided by law, at which election no officers other than judicial shall be elected, except a Superintendent of Public Instruction.”

Section seven, of the same Article, provides that :

“The County Judges shall hold their office for the term of four years from the first day of January next after their election.”

In pursuance of the provisions of the Constitution, the Legislature, by an Act approved March twenty-first, eighteen hundred and sixty-three, fixed the time for holding judicial elections, on the third Wednesday of October, one thousand eight hundred and sixty-three, and every two years thereafter. By the second section of the same Act, the provisions of the general law, so far as they are applicable, are extended to the judicial elections. By reference to the general laws regulating elections

it will be found that it is made the duty of the Board of Supervisors of the several counties, on a day not later than the second Monday after such election has taken place, to declare the result of said election; it is also made the duty of the Clerk of said Board to forthwith make out and forward to the Secretary of State, to be filed in his office, a certified copy of the statement so ordered by said Board; and it is made the duty of the Governor, upon the certified copy of such statement being filed in the office of the Secretary of State, showing the election of a County Judge, to issue to the person so elected a commission in the manner prescribed by law.

It is also provided that within ten days after the receipt of such commission such officer shall take and indorse on his commission the oath of office prescribed by law; or, it may be taken within ten days after the commencement of his term. The last clause seems to be intended for cases when, on account of unavoidable circumstances, the officer has not received his commission within the time first prescribed.

It would therefore appear that the County Judges whose compensation it is proposed shall now be changed, were, on the third Monday of October last, duly elected; that the returns of their election were duly made; that their commissions were duly made out and forwarded to them; and that within the said prescribed time they took the oath of office in the manner prescribed by law.

From all of which it is made manifest that they have been duly elected and qualified, and in all respects, in law, prepared and fitted to enter upon the duties of their office on the first day of January next.

The first question to be considered is, are they *now* fully and clearly within the inhibition of the Constitution, which declares that their compensation "shall not be increased or diminished during the term for which they shall have been elected?"

After the first day of January next, all doubt, if any reasonable doubts exist, will be cleared away, as the only pretence for the power claimed grows out of the words, "*during the term for which they shall have been elected*;" it being contended that until the term actually commences, the limitation of power which the Constitution imposes upon the Legislature does not take effect, but the question of fixing the compensation of Judges up to that time remains open for legislative action.

Let us suppose that instead of our present system of electing Judges, they were appointed by the Executive, and under such appointment a County Judge had qualified in advance of the term when he would enter upon the duties of his office, in the same manner our Judges now qualify.

Could the Legislature in such case, and before he entered upon the duties of his office, change the compensation which such Judge would be entitled to receive for his services during his continuance in office? It is submitted that it could not, by any constitutional act. When the appointment is once made, and the appointee accepts by qualifying as prescribed by law, he is, as far as the law can make him, an officer, placed beyond the appointing power; he is in no way subject to its control; he is not subject to removal, but his *status* as Judge of the County Court or District in which he is appointed is immovably fixed, and all questions relating to his authority and independence from control by either of the other departments of the Government are settled forever.

The Constitution uses the word "*elected*" which is aptly fitted to our mode of choosing Judges, namely—by election, and when all the require-

ments of the law have been complied with the appointment is perfected, the only difference is, that in one case the appointment is made by the Executive of the State, and in the other it is made by the people.

We have seen that the County Judges of this State have already been elected and qualified, and they have been elected and qualified for and during a particular term fixed by the Constitution, and the law has provided that for the services performed during the term for which they have been elected, they shall have a certain compensation; when, therefore, they are elected, the law, although executory, cannot be repealed. They having been elected for a term—a term which is to commence on a future day, and the services for which the compensation is to be given are to be performed in the future, yet, they have been elected for and during that term; it seems clear that the inhibition takes effect immediately upon their election, and the words “during the term” are qualified by the other words, namely—“for which they shall have been elected,” meaning clearly, that no change shall be made in the compensation for services rendered during the term for which the election shall have been made, after such election shall have taken place.

This view may be illustrated by another inhibition which the Constitution imposes upon the Judiciary. By section sixteen, of Article Sixth, it is provided, that “the Justices of the Supreme Court, and the District Judges, and the County Judges, shall be ineligible to any other office than a judicial office, during the term for which they shall have been elected.”

Suppose a judicial officer, after his election and qualification, should be elected to some other State office, not judicial, and before his term commenced; would his election be valid? It is submitted that it would not.

The ineligibility, like the compensation inhibition, attaches when the judicial officer is elected for a particular term, and even if he were to resign, the ineligibility would continue to exist until the whole judicial term had expired.

But it may be said that if a judicial officer resigns after his election and qualification, and before the term for which he had been elected begins, that the constitutional ineligibility ceases to apply to him. The answer to this is, that the ineligibility is for a term of years for which he has been elected, and after he is once elected for such term, the ineligibility at once attaches and covers the entire term.

The reason for the insertion of this provision sustains the interpretation given to the clause in question. It is, that judicial officers shall not be permitted to use the prestige of their judicial station for ambitious political purposes, which, in the end, as all experience has shown, leads to the corruption and prostration of that department to which, of all others, the citizen should be able to look for the protection of his dearest and most sacred rights.

The reason why his ineligibility should attach at once after his election, is the same that applies to him after he has entered upon the duties of his office. It is the prestige which he derives from an election that enables him to carry into effect his ulterior political designs, and places him in a commanding and influential position. But it will hereafter be shown that the reasons for limiting the power to change the compensation of Judges to the period of time when they should have been elected, are, even in the view taken on the ineligibility clause, still stronger and more cogent.

But, to further illustrate: the Constitution first creates the office, for the purpose of having some person placed therein to discharge such

duties as may be assigned to it, and the person placed in it is the officer, and the duties of the office the *services* to be performed.

When, therefore, a person is placed in a judicial office, and qualifies, the office of Judge created by the Constitution is filled. From that time henceforth he is surrounded by all the barriers which the Constitution has erected, not only to protect the office, and guard the officer against the encroachments and influence of the other departments of government, but to restrain the officer from using the power which his official position carries with it against the other departments, for either personal aggrandizement or pecuniary advantage.

The Supreme Court of this State, in the case of *The People vs. Burbank*, when the question was raised as to what constituted a "term" for which the District Judges were elected, the Court says:

"When the Constitution says the Judge shall hold his office for six years, it means six years is the term of his office. It is that quantum of time assigned to him by the Constitution as his period of the enjoyment of the office, and the quantum may not improperly be called a term."

"If A. is elected District Judge, and enters upon the office, or accepts it for a day, he is disqualified for other office during the whole period of six years, and so, after his election, it would not be competent for the Legislature to change his compensation."

Two points are here determined by the Supreme Court:

First, That if he either enters upon or accepts an office for a single day, the ineligibility for any other office for the entire term then attaches.

It is not necessary that he should enter upon the duties; *but if he accepts the office*—that is, after his appointment by election, if he accepts his commission and qualifies under it—he is such judicial officer upon whom the Constitution at once stamps ineligibility for any other office, and that, too, for the entire term for which he shall have been elected. "And so," the Court goes on to say, "*after his election it would not be competent for the Legislature to change his compensation.*"

Here is a judicial construction of the Constitution on the very point in question, and which cannot be overlooked or disregarded by the Legislative Department of the Government.

In support of the power now claimed to change the compensation of Judges after their election, the acts of former Legislatures are invoked. By an examination of the Statutes, it would appear that a few instances can be adduced where the Legislature changed the compensation of County Judges after they had been elected, and before they had entered upon the duties of their office.

The following are instances of such legislation:

The County Judge of Klamath County, the County Judge of San Joaquin County, and the County Judge of Sacramento County; there may be other instances where the same power was exercised, which your committee have not discovered. In the cases referred to, it would seem, from a careful examination of the Sacramento *Union's* reported debates, that no question was raised in regard to the constitutionality of such acts, but that they were permitted to pass under the head of local legislation, which it has been the custom in times past to allow without challenge or investigation—a kind of legislation which your committee beg leave respectfully to condemn, as being frequently productive of the most baneful consequences; but, instead of holding up such instances of loose legislation as a precedent to be followed, they should only serve as an

admonition and warning to the legislator of the present day, and enable him to see more clearly the constitutional path that lies before him.

It may here be remarked that the law in force prior to the Act of eighteen hundred and sixty-three, required the County Judges, before entering upon their duties, to take the oath of office; but under the present system, as has been shown, they are required to qualify within a prescribed time after receiving their commissions.

But if the constitutional inhibition which forbids the Legislature from changing the compensation of Judges after they shall have been elected and before they enter upon their duties is not strictly within the letter of the Constitution, it is clearly within its spirit and meaning.

Why is the clause under consideration, or one similar to it, incorporated in all the State Constitutions, as well as in the Constitution of the United States? In the latter, however, as well as in many of the State Constitutions, the Legislature is only forbidden from diminishing the salary of the Judges during their continuance in office, but are not restrained from increasing it.

The first object was to secure the independence of the Judiciary by liberating them from the dominion of party spirit, whether it be manifested by way of favoritism on the one hand, or by a spirit of vengeance and vindictiveness on the other; and in the second place, to prevent the Judiciary from exercising a dangerous influence over the Legislative Department, by inducing them to increase their salaries during their term of office; and third, by accomplishing, as nearly as possible, that great desideratum in republican government, the complete separation of the judicial from the legislative power, so that the former may not be made to depend for pecuniary resources on the occasional grants of the latter.

When Judges were appointed for life, permanent salaries reaching into the distant future were not deemed advisable, because, as it was said in the *Federalist*, what might be extravagant to-day, might in half a century become penurious and inadequate; hence, in the early Constitutions, there was no restraint upon increasing judicial salaries; but after a term of years was generally adopted, the inhibition, as in this State, was generally made to embrace the increase of salaries as well as diminishing them.

Having premised this much as to the reason of the prohibition, the question may be asked—is the object, reason, and spirit of the provision fully carried out, reached, and satisfied by limiting it to the period of time comprising the precise term of office?

First—is the language used ambiguous? and if so, what are the rules of interpretation applicable to constitutional law?

Justice Story, in his great work on the Constitution, says:

“The first and fundamental rule in the interpretation of all instruments is to construe them according to the sense of the terms and the intention of the parties, and that the reason and spirit of the law, in the causes which led to its enactment, are often the best exponent of the words, and limit their application.”

The period of time during which legislation of the character under consideration must, if at all, take place, is between the first day of the meeting of the Legislature and the first day of the next month; otherwise the constitutional barrier is irrevocably interposed.

In this brief space of time this kind of legislation must, every two

years, be passed through, and that, too, after the worst partizan spirit, inflamed by victory and defeat, has had no time to cool; which, of itself, is strong against the Act.

But it must be remembered that the principle contended for is not confined to the salaries of County Court Judges; it may be extended to every judicial officer in the State.

Who could predict the result, if, after the recent judicial election, the whole judicial corps had combined for an increase of their salaries? We have now five Supreme Judges, fourteen District Judges, with a combined jurisdiction which reaches every citizen in the State, and forty-six Judges of the County Courts, whose jurisdiction, with their probate powers, reaches the dead as well as the living—*what*, it may be asked, could such a power not effect? And yet it is said that the reason and spirit of the Constitution do not reach a vice of such magnitude, and which might produce consequences of the most appalling nature.

Is it not clear that unless the barriers which the Constitution has erected to protect the Judiciary on the one hand, and the legislative power from pernicious influences on the other, is made to embrace the whole period of time, that is to say—from the day when the election shall have taken place, as well as during the term for which the judicial officer is elected, that the whole evil intended to be guarded against may take place *before* the prohibition is interposed?

Who can say that after a Judge is elected and qualified; after he is beyond the reach and control of the appointing power; after the judicial office is filled, and he only awaits the expiration of a few hours, when he will enter upon the duties of his office—that the power and influence to control, by official means, special legislation, for his own advantage, *is not equal*, aye, greater than it would be if he were sitting on the bench in the full fruition of all his judicial functions? because he might feel a restraint, if actually on the bench, which in the interim might not occur to him.

If this baneful principle is permitted to prevail, the vice will never be eradicated, neither will it be limited in its pernicious effects to the legislative power, but it will enter into *the whole judicial system*, poisoning the very fountain which it has been the greatest and highest object of the people to keep pure and untainted. The judicial office will be awarded to the lowest bidder.

Let it be known that after it shall be ascertained, irrevocably, who is Judge, that his salary can either be increased or diminished, just as it may suit the political whims of the Legislature, and the contest will narrow down to a mere matter of dollars and cents.

The Constitution separates the political from the judicial elections; the latter, under the present law, takes place after the former; it is not unlikely that the successful party in the political election might be the defeated party in the judicial; then, if the principle contended for is adopted, every Judge may be indirectly legislated out of office, simply by reducing his salary to a mere nominal sum; or if the same party should happen to prevail in both elections, favoritism, which so far as the pecuniary interest of the State is concerned, would still be more damaging; but in either alternative, the vitality of one of the most salutary provisions of the fundamental law might be legislated away, leaving nothing but a lifeless and worthless form, and that which the Constitution directly forbids might indirectly be accomplished.

In two years, a Supreme Judge will be elected for the full term of ten years; if the legislative power at that time should happen to be politi-

cally antagonistic to the judicial officer then elected, they could reduce his salary in the interim between his election and the first day of the term to a sum which no power could change during the entire term; even his resignation would not remove the constitutional barrier for the balance of the term.

The power, therefore, to reduce is equal to a power to deprive him of office altogether. What claim, it may be asked, after an election is over has the party to an advance of the compensation fixed by law?

He knew the amount of compensation when he offered to accept the office; he was voted for by the people *with the distinct understanding* that his compensation *was fixed by law* beyond his or their power, beyond the power of his enemies to change it; and yet, when he finds himself the possessor of the coveted place, he, for the first time, expresses himself dissatisfied with the compensation he is to receive, and insists upon an increase. The immediate representative of his county, as well as others, may have causes depending in his Court, or they may be lawyers, practicing in his District, and thus are made to feel a pressure at once which is most difficult to resist.

How are all these evils to be avoided? Simply by adhering strictly to the plain and obvious meaning, intention, and spirit of the Constitution.

The same provision in regard to the Judiciary which is in the Constitution of this State, is inserted in the Constitution of the United States, in regard to the President's salary, and which, it is provided, "shall neither be increased nor diminished during the period for which he shall have been elected." Now, suppose after a Presidential election, party friends should undertake to raise his salary, or political enemies, possessing the legislative power, should undertake to diminish it, would the Constitution afford no protection?—would there be no constitutional barrier to shield the Treasury against the assaults of the sycophants of power on the one hand, or to repel the cowardly, base attacks of vindictive enemies on the other? Such a proposition, if ever made, would meet with the indignant condemnation of the whole nation.

The species of legislation under consideration, wherever and whenever made, has always been condemned by the judicial tribunals of the country.

The Supreme Court of Pennsylvania, in the case of *Commonwealth vs Mann*, (5 Watts & Sergeant's, 403,) discusses the same principle with great power and force. In that State the Legislature may increase but have no power to diminish the salaries of Judges during their continuance in office. The Legislature of Pennsylvania, after the appointment of one of the Supreme Judges, increased his salary four hundred dollars, (\$400,) which law a subsequent Legislature repealed. Under a general law taxing the salaries of all officers, the Treasurer deducted and retained this tax from the Judge's salary. After the repeal the State Treasurer refused to pay the additional four hundred dollars, on the ground that the law was repealed. The Judge sued out a mandamus. On the facts, as stated, the Supreme Court decided that notwithstanding the law had been repealed, such repeal did not take from the Judge the additional four hundred dollars, on the ground that it was in violation of the Constitution to diminish a Judge's salary during his continuance in office. The ground taken by the respondent was, that as the Legislature had the power to add what was called a gratuity, they had the constitutional right to take it away; but the Court decided otherwise, and further decided that a tax on the salary of a Judge, under a general law taxing all salaries, was unconstitutional, on the ground that it diminished to that extent the salaries of Judges during their term of office.

The Court says :

"If it be correct that the power over a man's subsistence amounts to a power over his will, what instrument better calculated to give the Legislature an undue influence over the Judicial Department of the Government than by an address, in the manner proposed, to their hopes as well as their fears."

The language here used applies with peculiar force to the doctrine now contended for.

The hopes and fears of the Judiciary will be alternately excited. They will have the strongest motives to engage actively in all political contests, stimulated either by the hope of gain, or by a fear if their political opponents are successful they may be legislated from the bench.

The Convention that framed the Constitution guarded with sedulous care the independence of the Judiciary from the unjust influence of the legislative power, and at the same time took care to guard that department against temptation.

The recent amendments to the Constitution having entirely reorganized the whole judicial system of the State, and started it from a new stand point, it should be the highest object of the Legislative Department to guard and protect it from every influence calculated in the remotest degree to impair that confidence which the people of the State should repose in their judicial tribunals, from the highest to the lowest. If, even, there existed no constitutional prohibition to the exercise of the power now claimed, and the question rested on policy alone, the result at which your committee have arrived would have been the same.

In our mixed form of government it is not always possible to prevent a blending of the powers of the different departments; but the very existence of free government depends in a great measure upon the three departments acting independently of each other, each supreme in its own sphere, keeping always in view the well established rule that in all cases where a power is doubtful, it is better to refrain entirely from its exercise.

Your committee regret that in discharge of the high and responsible duty which the importance of the question presented in the two bills which they have had under their consideration has devolved upon them, they have been forced to differ with the other and higher branch of the Legislature, and they regret that a great press of legislative business, which must necessarily be acted upon before the end of the present year, has prevented them from giving to the question that consideration and investigation which its importance demands.

In conclusion, your committee are unanimously of opinion that to incorporate the policy indicated in the bills herewith reported into a law of the State, would be in direct contravention of the spirit and meaning of one of the most vital and salutary provisions of the Constitution.

CAMPBELL of San Francisco, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 48, an Act fixing the salary of the District Attorney of the County of Yolo.

DYER, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 42, a substitute for Senate bill No. 2, entitled an Act providing for the furnishing of members and officers with postage stamps and express envelopes;

And this day, at eleven o'clock and thirty minutes A. M., presented the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Fraser made the following report:

MR. SPEAKER:—Your committee, to whom was referred Assembly bill No. 21, an Act amendatory of an Act to define the boundaries and provide for the organization of Lake County, approved May twentieth, eighteen hundred and sixty-one, have had the same under consideration, and beg leave to report the bill back, and recommend the passage of that portion relating to the boundaries; also, that the portion of the bill relating to the salaries of officers be referred to the Judiciary Committee.

FRASER, for Committee.

Mr. Dow moved to suspend the rules, and take up Assembly bill No. 26. Lost.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, December 22d, 1863. }

To the Assembly of the State of California:

I have the honor to transmit herewith a copy of a letter from Major-General Joseph Hooker, acknowledging the receipt of certain resolutions adopted by the last Legislature.

Although the letter is addressed to the Governor, I have thought it meet and proper that a copy should be furnished each branch of the Legislature, to the end that the noble sentiments so modestly expressed therein may be entered upon the Journals, and thus become a portion of the history of our State.

FRED'K F. LOW,
Governor.

MAJOR GENERAL JOSEPH HOOKER TO THE GOVERNOR OF CALIFORNIA.

[Copy.]

WASHINGTON, D. C., }
September 20th, 1863. }

To his Excellency the Governor of California.

GOVERNOR:—I have the honor to acknowledge, through the Honorable William H. Weeks, Secretary of State, a copy of the resolutions passed by the Legislature of California at its last session, and to return my heartfelt and grateful acknowledgments for the confidence and satisfaction conveyed therein, in behalf of the State, on my promotion to the command of the Army of the Potomac.

I am also deeply sensible, and no less grateful, for the complimentary manner in which the Legislature has been pleased to refer to my services

in the National cause. That they have appeared satisfactory to our fellow citizens affords me inexpressible gratification.

My name is borne on the Army Register as a representative of our adopted State, and, if I may except the honorable and complete success of our arms over our enemies, I can esteem nothing more highly than its good opinions of the manner in which I have performed my duties in this giant rebellion; no reward can be of more value.

It is inadmissible in me to refer to my official connection with the Army of the Potomac; that can only be learned from my report, when made public through the prescribed channels. I can only add that I relinquished its command from the highest considerations of the public good, and with the unshaken confidence of the Government, and of the army, in my ability to guide and direct its fortunes.

With great respect,

I have the honor to be

Your obedient servant,

(Signed:)

JOSEPH HOOKER,
Major-General.

RESOLUTIONS.

Mr. Martin offered the following resolution:

Resolved, That the Sergeant-at-Arms be required to distribute all reports pro rata to the members of this House.

Adopted.

Mr. Brown of Amador offered an amendment to one of the Standing Rules of the Assembly.

Laid over for one day.

The Speaker announced the following

COMMITTEE ON REFORM SCHOOL REPORTS.

Messrs. Martin, Hubbard, Cherry, Lux, and Boulware.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
December 22d, 1863. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate, on yesterday, passed Assembly bill No. 29, an Act authorizing Supervisors of Klamath County to levy a special tax to create a Contingent Fund;

Also, passed Senate bill No. 22, an Act to provide for the allotment of Senators pursuant, to section six, Article IV, of the Constitution, and ask the concurrence of the Assembly in the same;

Also, this day, passed Senate bill No. 54, an Act to provide for the election of Supervisors in Merced County;

Also, this day, passed Senate bill No. 55, an Act to amend an Act entitled an Act providing for the time of holding Courts of record in this State.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 22, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 54, above reported, read first and second times, and ordered to file.

Senate bill No. 55, above reported, read first and second times, and ordered to file.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Dutton, for an Act for the more general attendance of children in the Public Schools of this State.

By Mr. Lux, for an Act for the establishment of a State Capitol Fund, by the issuance of bonds.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Chappell, for an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved April twenty-eighth, eighteen hundred and sixty-three.

Read first and second times, and ordered to file.

By Mr. Badlam, for an Act to authorize the Controller of State to issue duplicate warrant to Amos Adams.

Read first and second times, and ordered to file.

By Mr. Scott of Alameda, for an Act to amend an Act concerning officers, approved April twenty-second, eighteen hundred and sixty-three.

Read first and second times, and ordered to file.

By Mr. Hubbard, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved March third, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Sumner, for an Act creating the office of Township Assessors in the County of Butte.

Read first and second times, and referred to the Butte delegation.

On motion of Mr. Campbell of El Dorado, the rules were suspended, and Assembly bill No. 26, an Act to fix the terms of the County Court and Probate Court of the County of El Dorado, was taken from the file, read third time, and passed.

Mr. Scott of Alameda moved to suspend the rules, and take up Assembly bill No. 66, an Act to amend an Act entitled an Act concerning offices.

The motion prevailed.

The rules were again suspended, the bill considered engrossed, read third time, and passed.

Mr. Martin, under a suspension of the rules, made the following report :

MR. SPEAKER :—The Placer and Nevada delegations have had under

consideration Senate bill No. 55, and report it back, and recommend its passage.

MARTIN,
RULE,
WINCESTER,
SNYDER,
PRATT,
SMITH.

The rules were again suspended, and Senate bill No. 55, above reported, taken up, read third time, and passed.

By Mr. Hittell, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Scott of Siskiyou, for an Act to repeal subdivision third of section first of an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly bill No. 25, an Act amendatory of an Act entitled an Act providing for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 49, an Act amendatory of an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight—ordered engrossed.

Assembly bill No. 54, an Act to transfer certain Funds.

Mr. Owen moved to strike out the enacting clause in the bill.

On which, the ayes and noes were demanded, by Messrs. Scott of Siskiyou, Snyder, and Alley.

Mr. Owen demanded the previous question.

Sustained.

The House agreed to striking out the enacting clause by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Lynch, McColliam, Owen, Parker, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, and Wright—53.

NOES—Messrs. Brown of Amador, Dickinson, Hill, Hittell, Hoag, Hubbard, Kendrick, Kewen, Martin, Mebius, Perley, Pratt, Sepulveda, Smith of Sonoma, Sumner, Wilcox, Whallon, and Wood—18.

The rules were suspended, and Senate bill No. 54, above reported in Senate message, was taken up, read third time, and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 22d, 1863. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, passed Assembly bill No. 63, an Act providing for the transfer of cases on the first day of January next to the Courts established by the present Constitution ;

Also, this day, passed Assembly bill No. 41, an Act to extend the time for collection of taxes in San Luis Obispo County ;

Also, that the Senate, this day, adopted Assembly concurrent resolution No. 8, relative to adjournment.

WESTMORELAND,
Secretary.

There being no further business, on motion of Mr. Kewen, at one o'clock and twenty-seven minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, December 23d, 1863. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Teare was granted one day leave of absence.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 49, an Act amendatory of an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

DYER, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 41, an Act to extend the

time for the collection of State and county taxes for the year eighteen hundred and sixty-three in the County of San Luis Obispo;

And on the twenty-second day of December, eighteen hundred and sixty-three, at fifteen minutes past seven o'clock P. M., presented the same to the Governor for his approval;

Also, Assembly bill No. 63, an Act providing for the transfer of cases on the first day of January next to the Courts established by the present Constitution;

And on this day, at fifteen minutes past nine o'clock A. M., presented the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Snyder, Chairman of the Committee on Mines and Mining Interests, made the following report:

MR. SPEAKER:—Your Committee on Mines and Mining Interests, having had under consideration Assembly bill No. 46, an Act to authorize mining companies to change their places of business, beg leave to report the same back with a substitute, and recommend the passage of the substitute.

SNYDER, Chairman.

Mr. Buffum moved that the usual number of copies be printed of the report of Mr. Campbell of San Francisco, relative to the increase of the salaries of judicial officers.

The House so ordered.

RESOLUTIONS.

Mr. Winchester offered the following resolution:

Resolved, That the Committee on Mines and Mining Interests are hereby authorized to visit the office of State Geologist at such time as shall to them be most convenient.

Withdrawn.

Mr. Snyder offered the following resolution:

Resolved, That the Committee on State Prison have leave to visit the State Prison, that the Committee on Hospitals have leave to visit the State Hospitals, that the Committee on Public Buildings have leave to visit the public buildings, and that the Committee on Mines and Mining Interests have leave to visit the office of the State Geologist in San Francisco, during the time allowed by the adjournment, or at such other time as they may determine.

Lost.

Mr. Brown of Amador had leave to withdraw the resolution to amend the rules offered on yesterday.

Mr. Owen offered the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to have the large painting, recently removed from this Chamber, returned to its place at the left of the Speaker's chair.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 23d, 1863. }

Mr. SPEAKER :—The Senate, on yesterday, passed Assembly bill No. 26, an Act to fix the terms of the County and Probate Courts of the County of El Dorado ;

Also, on the twenty-first instant, passed Senate bill No. 25, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, passed Senate bill No. 26, an Act to amend an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 25, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 26, above reported, read first and second times, and referred to the Judiciary Committee.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Badlam, for an Act supplementary and amendatory to an Act entitled an Act to provide for the incorporation of railroad companies, approved April twenty-second, eighteen hundred and fifty-three.

By Mr. Ludlow, for an Act providing for the division of Amador County, and the creation of Alpine County out of the eastern portion of Amador and small fractions of El Dorado and Calaveras Counties.

By Mr. Brown of Amador, for an Act changing the terms of the County Court of Amador County.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 26, an Act to fix the terms of the County Court and Probate Court of the County of El Dorado.

And this day, at eleven o'clock and twenty-seven minutes A. M., presented the same to the Governor for his approval.

REDFIELD, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Weston, for an Act to provide for the collection of delinquent taxes in the County of Sierra.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wood, for an Act to amend an Act entitled an Act concerning

the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Campbell of San Francisco, for an Act supplementary to and amendatory of an Act providing for the confinement of prisoners of the the United States, approved February fourth, eighteen hundred and fifty-six.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Kewen, for an Act concerning the salary of the County Judge of Los Angeles County.

Read first and second times, and referred to the Los Angeles delegation.

By Mr. Wiley, for an Act to provide for the disposition of moneys collected under an Act entitled an Act concerning passengers arriving at the ports of the State of California, approved May twelfth, eighteen hundred and fifty-two, and Acts amendatory thereof and supplementary thereto.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Perley, for an Act to establish and maintain Public Pounds for the better securing estrays and unruly horses, mules, cattle, and other stock, in the County of San Joaquin.

Read first and second times, and referred to the Committee on Agriculture.

GENERAL FILE.

Assembly bill No. 15, an Act relating to the legal settlement of paupers—made the special order for January seventh, at twelve o'clock M.

Assembly bill No. 32, an Act to provide for the support of paupers—made the special order for January seventh, at twelve o'clock M.

Assembly bill No. 33, an Act concerning Work-houses for the several counties in the State of California—made the special order for January seventh, at twelve o'clock M.

Senate concurrent resolution No. 9, relating to a railroad in Oregon—was concurred in.

Assembly bill No. 8, an Act to fix the compensation of the County Judge of Lake County—indefinitely postponed.

Senate bill No. 27, an Act to fix the salary of the County Judge of Monterey County—indefinitely postponed.

Assembly bill No. 48, an Act fixing the salary of the District Attorney of the County of Yolo—read third time, and passed.

Assembly bill No. 64, an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity. approved March twenty-eighth, eighteen hundred and sixty-three—ordered engrossed.

SPECIAL ORDER.

At twelve o'clock M., the House took up the special order of the day, Assembly bill No. 1, an Act to amend an Act entitled an Act to authorize the incorporation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine.

On motion of Mr. Wiley, the bill was recommitted, with special instructions, to Mr. Cherry.

The bill was amended as directed, and reported, the rules suspended, and bill considered.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Littlefield, Badlam, and Winchester, and taken, with the following result :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Dickinson, Dodson, Dow, Dutton, Erkson, Fraser, Gray, Hartsough, Hill, Hoag, Hunt, Hirst, Jenison, Johnson, Kendrick, Langdon, Ludlow, Lux, Lynch, Martin, McColliam, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Tukey, Van Leuven, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, Wood, and Wright—64.

NOES—Messrs. Dyer, Hittell, Hubbard, Littlefield, Walker of Alameda, and Winchester—6.

So the bill was passed.

Assembly bill No. 65, an Act to authorize the Controller of State to issue duplicate warrants to Amos Adams—ordered engrossed.

MESSAGE FROM THE GOVERNOR.

The rules were suspended, and the following message from the Governor was taken up :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, December 23d, 1863. }

To the Assembly of the State of California :

I have to inform your honorable body that I have this day approved Assembly bill No. 42—substitute for Senate bill No. 2—an Act for purchasing postage stamps and express envelops for members and officers of the Legislature at its fifteenth session ;

Also, Assembly bill No. 63, an Act providing for the transfer of cases on the first day of January next to the Courts established by the present Constitution ;

Also, Assembly bill No. 41, an Act to extend the time for the collection of State and county taxes for the year eighteen hundred and sixty-three in the County of San Luis Obispo ;

Also, Assembly bill No. 26, an Act to fix the terms of the County Court and Probate Court of the County of El Dorado.

FRED'K F. LOW,
Governor.

MISCELLANEOUS.

Mr. Lux moved that the Sergeant-at-Arms procure a new clock for the Assembly Chamber.

Lost.

That officer was instructed to have the old clock repaired.

Mr. Smith offered the following resolution :

Resolved, That the Committee on Mines and Mining Interests be author-

ized to visit the office of the State Geologist during the adjournment of the Legislature.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 23d, 1863. }

Mr. SPEAKER :—The Senate this day passed Assembly bill No. 66, an Act to amend an Act concerning officers, approved April twenty-second, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

Mr. Boulware moved to take a recess for fifteen minutes.

Lost.

On motion of Mr. Dodson, Assembly bill No. 49, an Act amendatory of an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum, and State Prison, was taken up, and recommitted to the Committee on Mileage, with special instructions.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 66, an Act to amend an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three ;

And this day, at twenty-seven minutes past twelve o'clock m., presented the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Hittell moved to take a recess until one o'clock.

Adopted.

ASSEMBLY RE-ASSEMBLED.

At o'clock p. m., the House re-assembled.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
December 23d, 1863. }

Mr. SPEAKER :—The Senate this day passed Senate bill No. 46, an Act amendatory of and supplemental to an Act entitled an Act to transfer certain funds, passed January thirty-first, eighteen hundred and sixty-three, and ask the concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 46, above reported, read first and second times.

Mr. Wilcox moved that the rules be suspended, and the bill read a third time.

Objection being made—

The Speaker decided the objection sufficient to prevent the third reading of any bill on the day of introduction.

Mr. Dodson appealed from the decision of the Chair.

On which, the ayes and noes were demanded, by Messrs. Brown of Amador, Lux, and Owen.

Mr. Wright moved the previous question.

The motion was sustained by the following vote, and the decision of the Chair was declared the judgment of the House:

AYES—Messrs. Alley, Badlam, Beaman, Brooks, Brown of Amador, Chappell, Dow, Dutton, Erkson, Fraser, Gray, Green, Hartsough, Hittell, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Lux, Lynch, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Snyder, Sumner, Tukey, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wiley, Wilsey, Winchester, Whallon, Wood, and Wright—50.

NOES—Messrs. Buffum, Dickinson, Dodson, Hill, Kendrick, and Wilcox—6.

Mr. Lux moved to adjourn.

Lost.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, December 23d, 1863.

To the Assembly of the State of California:

I have to inform your honorable body that I have this day approved Assembly bill No. 66, an Act to amend an Act concerning offices, approved April twenty second, eighteen hundred and sixty-three.

FRED'K F. LOW,
Governor.

At one o'clock and twenty-five minutes P. M., on motion of Mr. Lux, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Tuesday, January 5th, 1864.

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence for one day, each, was granted Messrs. Alley, Scott of Alameda, Gray, Dutton, Bowman, Langdon, Chappell, Mobius, and Hirst.

The Journal of December twenty-third, eighteen hundred and sixty-three, read and approved.

The Speaker presented the third annual report of the Trustees of the State Library.

Mr. Tukey presented a petition of George Nelson, relative to the location of certain land.

Referred to the Committee on Claims.

RESOLUTIONS.

Mr. Winchester offered the following resolution :

Resolved, That Miss Emma Hardinge be granted the use of this hall on Tuesday and Thursday nights, respectively, of next week, for the purpose of delivering lectures upon the following subjects, to wit: "The Spirit of America in 1776," and "The Spirit of America in 1864."

And that the use of the hall be further granted to Lisle Lester, Editress of the Pacific Monthly, on Friday night of next week, for the purpose of giving an entertainment of poetical readings.

Mr. Langdon moved to strike out of the resolution all relative to granting the use of the hall to Lisle Lester.

Lost.

On adopting the resolution, Messrs. Wright, Lux, and Wood demanded the ayes and noes, and the roll was called, with the following result :

AYES—Messrs. Badlam, Beaman, Boulware, Brown of Amador, Campbell of El Dorado, Castro, Cherry, Clark, Dickinson, Dodson, Dow, Erksan, Fraser, Hartsough, Hill, Hubbard, Kewen, Littlefield, Ludlow, Lux, Martin, Owen, Parker, Perrin, Personette, Pratt, Rhoads, Sepulveda, Smith of Nevada, Teare, Tukey, Van Schaick, Watson, Wilcox, Wiley Wilsey, Winchester, and Wright—36.

NOES—Messrs. Allen, Brooks, Brown of Tulare, Buffum, Clayton, Devoe, Green, Hittell, Hoag, Jenison, Johnson, Kendrick, Langdon, Lynch, McColliam, Perley, Rule, Scott of Siskiyou, Smith of Sonoma, Snyder, Sumner, Van Leuven, Walker of Alameda, Walker of Fresno, Wason, Weston, Whallon, and Wood—30.

So the resolution was adopted.

Mr. Wright gave notice of a motion to reconsider.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 5th, 1864. }

MR. SPEAKER:—The Senate, on the twenty-third day of December, eighteen hundred and sixty-three, passed Assembly bill No. 6, an Act to create a Contingent Fund for Humboldt County ;

Also, Senate concurrent resolution No. 8, relative to carriage hire for inauguration ceremonies, and ask concurrence of Assembly.

A. W. BISHOP,
Assistant Secretary.

Assembly concurred in Senate concurrent resolution No. 8, above reported.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Wright, for an Act to amend an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three.

By Mr. Cherry, for an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven ;

Also, for an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two.

By Mr. Martin, for an Act relative to public roads in the County of Nevada.

By Mr. Owen, for an Act to re-district the County of Santa Clara, and provide for the election of Supervisors ;

Also, for an Act to authorize the City of San José to loan its credit for School purposes.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Rule, for an Act to aid the construction of the Central Pacific Railroad.

Read first and second times, referred to the Committee on Internal Improvements, and ordered printed.

By Mr. Brown of Amador, for an Act to extend the time for the collection of delinquent taxes in the County of Amador.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Lux, for an Act for the completion of the State Capitol, and to provide for the payment of the same.

Read first and second times, referred to the Committee on Public Buildings, and ordered printed.

By Mr. Ludlow, for an Act to provide for the levying and collecting of a per capita tax on all unmarried male persons of twenty-one years of age and upwards, residents of the State of California, California Indians excepted, for Common School purposes.

Read first and second times, and referred to the Committee on Education.

By Mr. Cherry, for an Act to provide for the payment of the claim of H. H. Bancroft & Co.

Read first and second times, and referred to the Committee on Claims.

By Mr. Owen, for an Act supplemental to an Act entitled an Act to provide for the sale of certain lands belonging to the State, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Public Lands.

By Mr. Kendrick, for an Act amendatory of and to extend the provisions of an Act entitled an Act to amend an Act to exempt the homestead and other property from forced sale in certain cases, passed April twenty-first, eighteen hundred and fifty-one, approved April twenty-eighth, eighteen hundred and sixty.

Read first and second times, and referred to the Judiciary Committee.

On motion of Mr. Cherry, Assembly bill No. 59 was ordered printed.

GENERAL FILE.

Senate bill No. 46, an Act amendatory of and supplementary to an Act entitled an Act to transfer certain funds, passed January thirty-first, eighteen hundred and sixty-three—considered in Committee of the Whole, (Mr. Owen in the Chair.)

IN ASSEMBLY.

Reported and recommended.

Mr. Littlefield moved to indefinitely postpone the bill.

Lost.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Martin, Beaman, and Watson, and taken, with the following result:

AYES—Messrs. Allen, Boulware, Brooks, Brown of Amador, Buffam, Campbell of El Dorado, Castro, Cherry, Clayton, Devoe, Dickinson, Dow, Dyer, Erkson, Fraser, Green, Hartsough, Hittell, Hubbard, Jenison, Kendrick, Langdon, Lux, Lynch, McColliam, Parker, Perley, Personette, Pratt, Redfield, Rule, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Van Leuven, Walker of Alameda, Wason, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—46.

NOES—Messrs. Badlam, Beaman, Brown of Tulare, Clark, Dodson, Hill, Hoag, Hunt, Johnson, Littlefield, Martin, Owen, Perrin, Rhoads, Snyder, Sumner, Van Schaick, Walker of Fresno, Watson, and Whallon—20.

So the bill was read third time, and passed.

Assembly bill No. 46, an Act to authorize mining companies to change their places of business—substitute adopted, and ordered engrossed.

MISCELLANEOUS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 29, an Act authorizing the Board of Supervisors of Klamath County to levy a special tax to create a Contingent Fund for said county;

And on this day, at eleven o'clock and forty minutes A. M., presented the same to the Governor for his approval;

Also, Assembly concurrent resolution No. 8, relative to adjournment.

REDFIELD, Chairman.

Mr. Martin gave notice of an amendment to Rule Number Seven of the Assembly.

Laid over.

Mr. Wilcox offered the following resolution:

Resolved, That the Committee on Claims be allowed a Clerk, at the per diem allowed by law.

Lost.

There being no further business, on motion of Mr. Snyder, at twelve o'clock and thirty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 6th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 65, an Act to authorize the Controller of State to issue duplicate warrant to Amos Adams;

Also, Assembly bill No. 46, an Act to authorize mining companies to change their places of business.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Senate bill No. 26, an Act to amend an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty, have had the same under consideration, and recommend its passage;

Also, Assembly bill No. 83, an Act amendatory of and to extend the provisions of an Act entitled an Act to amend an Act to exempt the homestead and other property from forced sale in certain cases, passed April twenty-first, eighteen hundred and fifty-one, approved April twenty-eighth, eighteen hundred and sixty, and respectfully recommend its indefinite postponement;

Also, Assembly bill No. 70, an Act to repeal Article Third, section first, of an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three, and respectfully recommend its indefinite postponement;

Also, Assembly bill No. 71, an Act to provide for the collection of de-

linquent taxes in the County of Sierra, and recommend that it be referred to the Sierra delegation.

CAMPBELL of San Francisco, Chairman.

Assembly bill No. 71, above reported, referred as recommended.

RESOLUTIONS.

Mr. Campbell of El Dorado offered the following resolution :

Resolved, That the Committee on Claims be allowed a Clerk at the per diem allowed by law.

Adopted.

Mr. Hubbard offered the following preamble and resolution :

WHEREAS, doubts have arisen as to the constitutional right of the fifteenth Legislature to convene on the first Monday of December, eighteen hundred and sixty-three, as declared in a concurrent resolution adopted by the Legislature at its fourteenth annual session ; and, whereas, such doubts seem to be supported by the following facts, to wit :

First—The Legislature, at its twelfth session, proposed certain amendments to the Constitution of the State, one of which provided that the "sessions of the Legislature shall be biennial, and shall commence on the first Monday of January next ensuing the election of its members, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation ;"

Second—"The proposed amendments were all agreed to by a majority of all the members of both Houses and entered on their journals and referred to the" Legislature then next to be chosen ;

Third—The Legislature next chosen, at the thirteenth session, agreed to all of the said proposed amendments, except that relating to the Legislative Department, which was changed so as to read the "first Monday of December, eighteen hundred and sixty-three," in the place of January, eighteen hundred and sixty-four, as was contained in the original proposition ;

Fourth—The proposition, as changed, was published and submitted to the people, but never proposed by one Legislature and agreed to by a majority of the members of both Houses and entered on their journals, and referred to the Legislature next to be chosen, as appears to have been absolutely necessary to constitute it a portion of the Constitution of the State ; therefore,

Resolved, That a special committee of three be appointed to investigate the matter, and report to this House at its earliest convenience.

Adopted.

Mr. Buffum offered a concurrent resolution relative to the distribution of the report of the Trustees of the Insane Asylum.

Adopted.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Teare, for an Act providing for extending the time for the

assessment and collection of the State and county taxes of El Dorado County.

By Mr. Tukey, for an Act to repeal the Act of April twenty-seventh, eighteen hundred and sixty-three, entitled an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, commonly known as the Specific Performance Act;

Also, for an Act declaring it against public policy to enter into any contract payable in any other currency than the legal tender currency of the United States, and declaring every such contract against public policy to be fraudulent and void;

Also, for an Act to amend the second section of the Act of May seven-teenth, eighteen hundred and sixty-one, entitled an Act to provide revenue for the support of the government of this State, so as to make State and county taxes payable in the legal currency of the United States;

Also, for an Act providing that all municipal taxes, levies, assessments, and fines, shall be payable in the legal currency of the United States;

Also, for an Act providing that, hereafter, all purchases of land from the State, and all debts, either principal or interest, due the State upon any purchase of land heretofore made, shall be payable in the legal currency of the United States;

Also, for an Act closing the Courts of this State against any attempt at the legal enforcement of any contract for the delivery of either gold or silver bullion, or of any specific weight or amount of gold or silver coin, excepting only where such bullion or coin has been intrusted to a common carrier or other person for transportation, or on special deposit; or for the payment of any sum as an equivalent for the non-delivery of any specific amount or weight of gold or silver coin or bullion, excepting when intrusted as aforesaid;

Also, for an Act making it a misdemeanor to buy, sell, or exchange United States legal tender notes with or for any other currency.

By Mr. Hubbard, for an Act amendatory of an Act for the education and care of the indigent Deaf, Dumb, and Blind in the State of California, approved April, eighteen hundred and sixty.

By Mr. Pratt, for an Act concerning the salary of the Superintendent of Public Instruction of Placer County.

By Mr. Hill, for an Act to amend an Act entitled an Act to provide for the sale of lands belonging to the State.

By Mr. Wood, for an Act to prohibit gaming.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hill, for an Act to prevent the trespassing of animals upon private property in the County of Santa Barbara.

Read first and second times, and referred to the Santa Barbara delegation.

By Mr. Hubbard, for an Act for the relief of William B. Latham, Jr.

Read first and second times, and referred to the Committee on Claims.

By Mr. Van Leuven, for an Act amendatory of section four of an Act to restrict the Supervisors of the County of San Bernardino from creating more than one Election Precinct in the City and Ranch of San Bernardino and the Valley of Ukupa, approved April fifteenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Teare, for an Act to fix the amount of the official bond of the Public Administrator of the County of El Dorado.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to change the name of George Andrews Hatch to George Andrews Pavey, and confirm his adoption by William Henry Pavey.

Read first and second times, and referred to the Judiciary Committee.

By Mr. McColliam, for an Act to change the name of James Fitzpatrick.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hittell, proposed amendments to the Constitution.

Read first and second times, referred to the Judiciary Committee, and ordered printed.

By Mr. Tukey, for an Act relating to the Swamp and Overflowed Land in District Number Two, in the County of Sacramento.

Read first and second times, and referred to the Sacramento delegation.

By Mr. Wood, for an Act in relation to the office of Assessor of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Cherry, for an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two.

Read first and second times, and referred to the San Francisco delegation.

Also, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven.

Read first and second times, and referred to the San Francisco delegation.

Pursuant to notice, Mr. Wright moved to reconsider the vote whereby, on yesterday, the House granted the use of the Assembly Chamber to Emma Hardinge and Lisle Lester on specified evenings.

Mr. Winchester moved to lay the resolution on the table.

Lost.

Mr. Snyder moved the previous question.

Sustained.

The ayes and noes were demanded, by Messrs. Winchester, Tukey, and Wood, and the House reconsidered the resolution by the following vote:

AYES—Messrs. Allen, Bowman, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Chappell, Clark, Clayton, Devoe, Dickinson, Dyer, Fraser, Gray, Green, Hoag, Hirst, Jenison, Johnson, Kendrick, Langdon, McColliam, Mebius, Parker, Perley, Redfield, Rule, Scott of Alameda, Scott of Siskiyou, Snyder, Sumner, Van Leuven, Walker of Alameda, Walker of Fresno, Wason, Weston, Wiley, Whallon, Wood, and Wright—40.

NOES—Messrs. Alley, Badlam, Beaman, Boulware, Brown of Tulare,

Campbell of San Francisco, Castro, Cherry, Dodson, Dow, Dutton, Erks-son, Hartough, Hill, Hittell, Hubbard, Hunt, Kewen, Littlefield, Ludlow, Lux, Lynch, Martin, Owen, Perrin, Personette, Pratt, Rhoads, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Van Schaick, Watson, and Winchester—36.

On the passage of the resolution, the ayes and noes were demanded, by Messrs. Owen, Boulware, and Rhoads, and the House refused to adopt, by the following vote :

AYES—Messrs. Alley, Badlam, Beaman, Boulware, Campbell of San Francisco, Castro, Cherry, Dodson, Dow, Erks-son, Hill, Hubbard, Hunt, Kewen, Littlefield, Ludlow, Lux, Martin, Owen, Perrin, Personette, Pratt, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Van Schaick, Watson, and Winchester—32.

NOES—Messrs. Allen, Bowman, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Clark, Clayton, Devoe, Dickinson, Dutton, Dyer, Fraser, Gray, Hittell, Hoag, Hirst, Jenison, Johnson, Kendrick, Langdon, Lynch, McColliam, Mebius, Parker, Perley, Redfield, Rule, Scott of Alameda, Snyder, Sumner, Van Leuven, Walker of Alameda, Wason, Weston, Wiley, Whallon, Wood, and Wright—41.

Assembly bill No. 16, relative to moneys arising from passenger tax and the State Hospital Fund, was ordered printed.

The report of the Trustees of the State Library was ordered printed.

Mr. Martin had leave to introduce the following proposed amendment to Rule VII : Amend Rule VII by substituting the following :

“Every bill shall receive three readings previous to its passage. The Speaker shall give notice at each reading whether it be the first, second, or third reading. The first and second readings shall be on the same day, unless an objection be interposed. No bill shall be amended, or committed, until twice read. The first reading of a bill shall be for information, and if opposition be made to it, the question shall be : ‘Shall this bill be rejected?’ If no opposition be made, or if the question to reject be negatived, the bill shall take the usual course. No bill shall be read the third time on the same day unless by unanimous consent.”

The Speaker decided that, in accordance with the rules, it should lie over one day.

Mr. Martin claimed that it was in accordance with the notice given by him on yesterday, and should be considered now, and appealed from the decision of the Chair.

The decision of the Chair was declared the judgment of the House by an affirmative viva voce vote.

Mr. Martin moved to suspend Rule Number Sixty-Six, in order to consider the amendment proposed by him.

Lost.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, January 6th, 1864. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly bill No. 29, an Act authorizing the Board of Supervisors of Klamath County to levy a special tax to create a Contingent Fund for said county.

FRED'K F. LOW,
 Governor.

At twelve o'clock and thirty-four minutes P. M., on motion of Mr. Redfield, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
 Thursday, January 7th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Wilcox was granted indefinite leave of absence.

Journal of yesterday read and approved, after adding the words "according to previous notice" after the introduction of the amendment proposed by Mr. Martin to Rule Number Seven.

The Speaker announced the following

SPECIAL COMMITTEE ON CONSTITUTIONAL AMENDMENTS.

Messrs. Hubbard, Campbell of San Francisco, and Wright.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 64, an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Wright, Chairman of the Committee on Elections, made the following report:

MR. SPEAKER:—The Committee on Elections have had under consideration Assembly bill No. 60, an Act to amend an Act to regulate elections,

report the same back with amendments, and recommend that it pass as amended.

WRIGHT, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 6, an Act to create a Contingent Fund for Humboldt County;

And on this the seventh day of January, eighteen hundred and sixty-four, at eleven o'clock A. M., delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

Mr. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 39, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, have had the same under consideration, report the same back, and recommend its indefinite postponement;

Also, Assembly bill No. 12, an Act relative to bank notes, report the same back, and recommend its indefinite postponement;

Also, Assembly bill No. 9, an Act to punish certain malfeasances in office, and recommend its indefinite postponement;

Also, Assembly bill No 74, an Act supplemental to and amendatory of an Act entitled an Act providing for the confinement of prisoners of the United States, approved February fourth, eighteen hundred and fifty-six, report the same back, and recommend its passage;

Also, Senate bill No. 22, an Act to amend an Act entitled an Act to amend an Act entitled an Act to define the Senatorial Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one, approved April twenty-seventh, A. D. eighteen hundred and sixty-three, report the same back, and recommend its passage;

Also, Assembly bill No. 10, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, passed April twentieth, eighteen hundred and sixty-three, and recommend its indefinite postponement;

Also, Assembly bill No. 21, an Act amendatory of an Act entitled an Act to define the boundaries and provide for the organization of Lake County, approved May twentieth, eighteen hundred and sixty-one, to which they report amendments, and recommend its passage as amended;

Also, Assembly bill No. 55, an Act concerning appeals in certain cases, report the same back, and recommend its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Hittell, from the Judiciary Committee, made the following minority report:

Mr. SPEAKER:—The undersigned, a minority of the Judiciary Committee, recommend the passage of Assembly bill No. 39, with an amendment.

The main purpose is to change the criminal law in regard to the qualification of jurors.

The present statute provides that any person who has "formed or expressed an unqualified opinion" of the guilt or innocence of the accused may be excluded from the jury. The purpose of this bill is to amend the law so that the formation or expression of an unqualified opinion shall not exclude a jurymen if he says that he can give the accused an impartial trial under the law as declared by the Court, and the evidence as admitted in the case, uninfluenced by his previous opinions. The reasons why the change should be made are these:

First—The meaning of the term "unqualified" is misunderstood, and many persons say they have, and think they have, and are excluded for having "an unqualified opinion," when they have not. Upon this point all the criminal Judges of the State agree. The present statute is so worded as to lead to error.

Second—The present system delays the administration of justice. The Courts spend much of their time in trying to get juries in criminal cases, about which most of the intelligent citizens have read something, and formed some kind of an opinion.

Third—It is a source of great expense to the counties which must maintain the Courts and pay the fees and mileage of the Sheriff. Twenty thousand dollars annually is a low estimate of the expense to the counties on account of excluding jurors who ought to be received.

Fourth—It is a source of great inconvenience and loss to citizens called to serve on juries. Not unfrequently several hundred men are examined in vain effort to find twelve jurymen fit to try a criminal. The persons thus summoned are often men engaged in important business; but no matter how much it may suffer, they must dance attendance on the Courts for three or four days. They are not provided with seats, nor even supplied with a place to stand up in the Court-room, which is usually jammed full of idlers on such occasions. The jurymen may lounge about the vicinity of the Court-house in idleness and weariness until the Sheriff may call them, and then if they happen to be out of hearing, they are fined fifty dollars each. If they are in hearing, they usually prove that they have intelligence enough to read the newspapers, and sufficient interest in local affairs to pay some attention to articles about great crimes committed in their neighborhood; and then they are told that they and all like them are not able to do justice to the accused. The loss to individuals, thus taken away from their business, amounts probably, every year, in San Francisco alone, to ten or fifteen thousand dollars, and in the remainder of the State, where a large part of the population reside far from the Courts, to four times as much.

Fifth—The present statute is contrary to reason. The policy should be to make the administration of justice as speedy, as simple, and as cheap as possible. The present statute makes it slow, complex, and costly. Reason requires that every man who will do justice should be competent to sit on a jury; the present law assumes that nineteen out of twenty intelligent citizens are not competent to try any case that has excited much local interest. It assumes that those men who do not read newspapers as a class are not so good for jurors as those who do. It assumes that the men who read would violate their oaths, in which they are bound to try the case not on the newspaper reports, but on the law as declared by the Judge and on the evidence admitted at the trial. All these assumptions are contrary to the common opinions and common sense of the community.

Sixth—The change in the condition of the people demands a corresponding change in the law. When the present rule was adopted the people did not read newspapers, and, living in a simple style, consuming few foreign productions, spending little money in luxuries, they had much leisure time, and attendance at Court was not only instructive, but an agreeable interruption of a humdrum life. Now, in California, everybody reads and everybody takes the paper, and we all see, and hear, and know so much of the Courts and public life that we do not want to sit on juries; and we require so many foreign productions, and have so many luxurious wants, and engage in so many enterprises demanding constant attention, that the compulsory attendance upon the Courts for a week or two in a year, without rendering any service, is a serious interference with our plans and our comforts.

Seventh—The experience of other States is, that justice may be safely administered by jurymen who have formed unqualified opinions from reading newspapers.

In England, expressions used by a jurymen previous to the trial will not exclude him, unless they were caused by personal ill-will. (Wharton's Criminal Law, edition of 1861, section 2,976.)

In New Jersey, "a declaration of opinion, to disqualify a juror, must be such as implies malice or ill-will." (Same, sec. 2,992.)

In Ohio, an Act was passed on the third of March, eighteen hundred and sixty, to provide that opinions formed merely on rumors on newspaper reports should not disqualify a juror, if he should say that he could render an impartial verdict on the law and evidence. (Same, sec. 3,002.)

In Alabama, an opinion is not ground for challenge, unless it was formed upon the statements of persons who claimed to know the facts and who had the confidence of the juror. (Same, sec. 3,003.)

In Mississippi, when the juror said that he had formed and expressed an opinion from rumor only, but that his mind was free to act upon the testimony, he was held competent. (Same, sec. 3,005.)

In Illinois, a juror said he had formed and expressed an opinion of the guilt of the prisoner, and if the reports were true his opinions would remain the same, and he was accepted. (Same, sec. 3,006.)

In Arkansas, the formation of an opinion is not a ground for challenge, if the jurymen says his previous opinion will not affect his verdict. (Same, sec. 3,006.)

In Illinois and Vermont, the formation of an opinion is not a ground for challenge, but the expression of it is. (Same, sec. 3,010.)

In Connecticut, Virginia, North Carolina, Georgia, and Tennessee, the formation of a hypothetical opinion, based merely on the supposition that current rumors are true, does not exclude, if the juror says they will not bias his mind on the trial. (Same, sec. 3,010.)

The change proposed in this bill is, therefore, not without a precedent. We hear no complaints of injustice done to criminals in those States; and the rules under which justice can be safely administered east of the Rocky Mountains might apply with equal reason here.

Eighth—It is the common opinion of the people, and one founded in reason, that the administration of justice will be safer in the charge of those who, as a class, are excluded under the present rule, than of those who are not. The requirement that twelve men must be unanimous to condemn a criminal is abundant protection to him. Besides, he has twenty peremptory challenges in cases of felony, and can exclude that number of persons without giving any reason. Before taking the peremptory challenge, he can question the juror in regard to the nature of

his opinion. The criminal can exclude twenty, therefore, before the panel of twelve can be completed. It is to be presumed that at least one man in three of those who declare they can give the defendant a fair trial is fit to be a jurymen. In cases where an entire community is excited against an offender, as may sometimes happen, he can get a change of venue. The present law assumes that the previous opinion of the jurymen will govern his verdict, whereas, intelligent men generally keep their minds open for testimony, and are ready to try the case on the evidence admitted in it. It is a common occurrence that jurymen say after acquitting a prisoner that they believed him guilty, but the evidence produced at the trial would not warrant a verdict of conviction.

It may be said that some men would declare that they could render an impartial verdict, when they had no intention to do so; but, as the law now is, a man may get on the jury by declaring that he has never formed or expressed an unqualified opinion.

Ninth—A large majority of those Judges who have had the most experience in criminal cases think the law should be amended.

The bill under consideration further amends the present law so that the State shall have as many peremptory challenges as are now allowed to the defendant, and so that all challenges shall be tried by the Court.

There are other points in the bill, but these are the only ones which seem worthy of notice at present.

HITTELL.

Mr. Hill made the following report:

MR. SPEAKER:—The Santa Barbara delegation, to whom was referred Assembly bill No. 84, report the same back with an amendment, and recommend its passage as amended.

HILL, for Delegation.

Mr. Scott of Alameda made the following report:

MR. SPEAKER:—The Alameda delegation, to whom was referred Assembly bill No. 47, an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, have had the same under consideration, and ask leave to report the same back with an amendment, and recommend its passage.

SCOTT, for Delegation.

Mr. Weston made the following report:

MR. SPEAKER:—The Sierra delegation, to whom was referred the bill entitled an Act to provide for the collection of delinquent taxes in Sierra County, have had the same under careful consideration, report it back to the House, and recommend its passage.

WESTON, for Delegation.

Mr. Hittell made the following report:

MR. SPEAKER:—The San Francisco delegation recommend the passage, with amendments, of Assembly bill No. 7, relative to the jurisdiction of the San Francisco Police Court;

Also, recommend the passage of Assembly bill No. 72, an Act to amend an Act concerning the Insane Asylum, with an amendment.

HITTELL, for Delegation.

RESOLUTIONS.

Mr. Ludlow offered the following resolution :

Resolved, That the Committee on Roads and Highways be empowered to subpoena witnesses, take testimony, and administer oaths in relation to Assembly bills Nos. 19 and 28, now receiving their consideration.

Amended, on motion of Mr. Hubbard, by adding thereto, "*Provided*, the parties interested pay the expenses."

Adopted, as amended.

Mr. Wiley offered a concurrent resolution relative to the United States mails between Folsom, in California, and Atchison, in Missouri.

Ordered on file.

Mr. Rule offered the following resolution :

Resolved, That the State Printer be and he is hereby directed to print eight hundred additional copies of the Controller's report, and that the Sergeant-at-Arms be directed to distribute the same pro rata among the members of the Assembly.

Referred to the Joint Committee on Printing.

Mr. Wiley made a verbal motion to have printed Assembly bill No. 34. The House so ordered.

Mr. Cherry offered the following resolution :

Resolved, That double the usual number of copies of Assembly bill No. 59 be ordered printed.

Adopted.

On motion of Mr. Watson, the Sergeant-at-Arms was directed to ascertain whether Assembly bill No. 45 was printed, and if not, that it should be.

Mr. Martin offered the following resolution :

Resolved, That the Sergeant-at-Arms be and is hereby authorized and required to procure the necessary number of cane-bottomed chairs, corresponding with those in use, for this House.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
January 7th, 1864. }

Mr. SPEAKER:—The Senate yesterday adopted Senate concurrent resolution No. 13, relative to printing report of Commissioners on establishment of State University, and ask concurrence of Assembly ;

Also, in accordance with request of the Governor, I herewith transmit the report of the Commissioners on State University ;

Also, report of the State Agricultural Society.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
January 6th, 1864. }

Mr. SPEAKER:—The Senate yesterday passed Senate bill No. 32, an Act to authorize the Board of Supervisors of Napa County to levy a special tax to improve the public road from Napa Valley to Lake County; Also, Assembly bill No. 13, an Act to fix the bonds of the Sheriff of Santa Clara County;

Also, on same day, indefinitely postponed Assembly bill No. 4, an Act to extend the time for the collection of taxes in the County of Lake.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly concurred in Senate concurrent resolution above reported.

Senate bill No. 32, above reported, read first and second times, and referred to the delegation from Lake and Napa.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

For an Act concerning grand and trial jurors in the Counties of Monterey, San Luis Obispo, Santa Barbara, and Los Angeles.

By Mr. Wason, for an Act in relation to roads and Road Masters in Solano County.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hill, for an Act to amend an Act entitled an Act concerning certain salaries in the County of Santa Barbara, approved March sixteenth, eighteen hundred and sixty-three

Read first and second times, and referred to the Santa Barbara delegation.

By Mr. Gray, for an Act to amend an Act entitled an Act granting the right to construct and maintain a railroad on certain streets in the City and County of San Francisco, approved April twenty-third, eighteen hundred and sixty-three.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Perley, for an Act to repeal an Act entitled an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin.

Read first and second times, and referred to the San Joaquin delegation.

By Mr. Erkson, for an Act to re-district the County of Santa Clara, and provide for the election of Supervisors.

Read first and second times, and ordered to General File.

By Mr. Teare, for an Act to extend the time for completing the assessment roll and for collecting the taxes of El Dorado County.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of Tulare, for an Act for the relief of Robert Glass.

Read first and second times, and referred to the Committee on Claims.

SPECIAL ORDER.

At ten minutes past twelve o'clock p. m., the House proceeded to the consideration of the special order of the day, Assembly bill No. 15, an Act relating to the legal settlement of paupers.

The bill was amended by being made to take effect on April first, eighteen hundred and sixty-four, and ordered engrossed.

SECOND SPECIAL ORDER.

Assembly bill No. 32, an Act to provide for the support of paupers, (second special order for to-day.)

The blank in section twelve was filled by inserting "three dollars and a half."

The word "shall" was substituted for the word "may" in first line of section fifteen.

Mr. Scott of Siskiyou moved to strike out section eighteen.

Lost.

Mr. Winchester offered the following: to amend section eighteen, by inserting in the first line, after the word "person," the words "for a term not exceeding one year, and no minor shall be bound out after they shall arrive at the age of sixteen years."

Which Mr. Watson proposed to amend as follows: "The said Supervisors may bind out orphan minor children who have become chargeable," etc.

Lost.

Mr. Langdon offered the following substitute:

"The Supervisors shall be the legal Guardians of all children who have become chargeable to the county, and shall have the same control over them as is conferred upon Guardians in all other cases by the laws of this State."

Lost.

Mr. Boulware offered the following amendment to the amendment:

"*Provided*, that no minor shall be held for a longer term than one year, provided the parents give satisfactory evidence of their ability to take care of said minor."

Lost.

The House refused to adopt the original amendment.

Mr. Winchester moved to strike out section eighteen.

Lost.

Mr. Martin offered to amend as follows:

"*Provided*, no indenture shall continue beyond the time when the parents of said children shall cease to be a public charge."

Lost.

Mr. Campbell of San Francisco offered the following substitute for section eighteen:

"SEC. 18. The said Supervisors may bind out the minor children under their care, or who shall come under their care, of any poor per-

son who has become chargeable to their county as having a lawful settlement therein, or who is supported there, in whole or in part, at the charge of the State, and also all other minor children who are poor and chargeable to the county, in the manner provided by law."

Adopted.

On motion of Mr. Hubbard, sections twenty-one, twenty-three, twenty-four, and twenty-five of the bill were stricken out.

Mr. McColliam offered the following amendment to section twenty-two:

"SEC. 22. In all actions and prosecutions founded on the provisions of this Act, the District Attorney shall and may appear, prosecute, and defend the same to final judgment in behalf of such county."

Lost.

The remaining sections of the bill were ordered re-numbered from those stricken out.

Mr. Dutton moved to strike out "ten," in line five, section twenty-three, and insert "eight."

Adopted.

Mr. Cherry moved to strike out "seventy-five," and insert "fifty cents," in line three, section twenty-four; and insert "such" before "paupers," in same line.

Adopted.

Mr. Hubbard moved to strike out all after the word "pauper," in line five.

Adopted.

Mr. Walker of Alameda moved to postpone the further consideration of the bill until to-morrow, at twelve o'clock M.

Lost.

The bill was ordered engrossed.

Mr. Watson moved to adjourn.

Lost.

THIRD SPECIAL ORDER.

Assembly bill No. 33, an Act concerning Work-houses for the several counties in the State of California, (third special order for to-day)—made the special order for to-morrow, at twelve o'clock M.

On motion of Mr. Beaman, at one o'clock and forty-four minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 8th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Hubbard stated that he said yesterday, that he desired Assembly bill No. 15 to take effect on the first Monday in April, and not on the first day, as stated in the Journal.

PETITIONS.

Mr. Hubbard presented a petition of William B. Latham, Jr., relative to his claim for services rendered the Trustees of the State Reform School.

Referred to the Committee on Claims.

Mr. Wason presented a petition of sundry persons for the imposition of a special School tax.

Referred to the Committee on Education.

Mr. Perley presented a petition of citizens of San Joaquin County, relative to the fees of Justices of the Peace and Constables therein.

Referred to the San Joaquin delegation.

REPORTS.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

MR. SPEAKER :—The Committee on Ways and Means, to whom was referred Assembly bill No. 23, an Act relative to fees and salaries of officers, have had the same under consideration, and beg leave to report it back, with a recommendation that it do not pass ;

Also, Assembly bill No. 22, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, have had the same under consideration, and beg leave to report it back, with a recommendation that it do not pass ;

Also, Assembly bill No. 24, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, have had the same under consideration, and beg leave to report it back, with a recommendation that it do not pass.

ALLEN, Chairman.

Mr. Clayton made a report from a minority of the Committee on Ways and Means on Assembly bill No. 24, above reported.

[For report, see Appendix.]

Mr. Scott moved to have printed four hundred and eighty copies of the minority report.

Laid over one day under the rules.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 15, an Act relating to the legal settlement of paupers.

DYER, Chairman.

Mr. Buffum made a report from the Hospital Committee, with an accompanying concurrent resolution.

Laid on the table.

Mr. Badlam, from the Joint Committee on Printing, made the following report :

Mr. SPEAKER:—Your Joint Committee on Printing, to whom was referred the resolution of Mr. Rule, to print eight hundred additional copies of the Controller's report, beg leave to report that they deem it inexpedient, from the fact that the type has been distributed, and the benefit to be derived will not warrant the expenditure.

BADLAM, for Committee.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

Mr. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 69, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, having had the same under consideration, report it back with a substitute, and recommend the passage of the substitute ;

Also, Assembly bill No. 40, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, report it back with a substitute, and recommend the passage of the substitute ;

Also, Assembly bill No. 56, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, report the same back, and recommend its indefinite postponement ;

Also, Assembly bill No. 88, an Act to fix the amount of the official bond of the Public Administrator of the County of El Dorado, report the same back, and recommend its passage ;

Also, Senate bill No. 25, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, report the same back with an amendment, and recommend its passage as amended ;

Also, Senate bill No. 8, an Act to regulate the recording of stamped instruments in writing, report it back, and recommend the passage of the same.

CAMPBELL, of San Francisco, Chairman.

Mr. Dodson made the following report :

Mr. SPEAKER:—The committee to whom was referred Senate bill No. 32, an Act to authorize the Board of Supervisors of Napa County to levy a special tax to improve the public road from Napa Valley to Lake County, having had the same under consideration, report it back to the House, and recommend its passage.

DODSON, for Committee.

Mr. Lux, from the Committee on Mileage, made the following report :

Mr. SPEAKER:—The Committee on Mileage, to whom was referred Assembly bill No. 49, an Act amendatory of an Act entitled an Act defining the legal distance from each county seat to the Capital, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight, with special instruction to strike out all after enact-

ing clause and insert substitute, having performed that duty, report the same back, and recommend its passage.

LUX, for Committee.

Mr. Hill made the following report :

MR. SPEAKER:—The Santa Barbara delegation, to whom was referred Assembly bill No. 95, an Act to amend an Act entitled an Act concerning certain salaries in the County of Santa Barbara, approved March sixteenth, eighteen hundred and sixty-three, beg leave to report the same to the House, and recommend its passage.

HILL, for Delegation.

COMMUNICATION.

Mr. Speaker presented the following communication :

CAMP UNION,
January 8th, 1863. }

MY DEAR SIR:—In honor of the day, I propose to have a parade at two o'clock and thirty minutes P. M. It would afford the troops under my command, and myself, much pleasure to have the presence of the members of both bodies of the Legislature.

Very respectfully,

Your obedient servant,

OSCAR M. BROWN,

Colonel First Cavalry California Volunteers.

To the Speaker of the Assembly.

On motion of Mr. Cherry, the invitation was accepted, and the Clerk directed so to inform Colonel Brown.

MOTIONS AND RESOLUTIONS.

Mr. Wiley moved to take up and consider the concurrent resolution offered by him on yesterday, relative to the mail service between Folsom and Atchison, Missouri.

The motion prevailed, and the resolution was adopted.

Mr. Snyder offered the following resolution :

Resolved, That the Journal Clerk be and he is hereby authorized to employ an Assistant, at the compensation allowed by law.

Laid on the table.

Mr. Scott of Siskiyou had leave to withdraw from the file Assembly bill No. 70.

SPECIAL ORDER.

At twelve o'clock M., the House took up the special order of the day, Assembly bill No. 33, an Act concerning Work-houses for the several counties in the State of California.

The bill was considered in Committee of the Whole, (Mr. Tukey in the Chair.)

IN ASSEMBLY.

The committee reported progress, and asked leave to sit again.

Mr. Snyder moved to adjourn.

Lost.

On motion of Mr. Dow, the bill was made the special order for tomorrow, at twelve o'clock M.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 8th, 1864. }

Mr. SPEAKER :—The Senate, this day, adopted Senate concurrent resolution No. 16, relative to warrants to be drawn by the Controller for per diem of members and attachés of Legislature, and ask concurrence of Assembly;

Also, yesterday, concurred in Assembly concurrent resolution No. 10, authorizing the State Printer to furnish additional copies of the annual report of the Trustees of the Insane Asylum;

Also, on January sixth, passed Senate bill No. 73, an Act to provide for the election of a Sheriff in Mendocino County.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGE.

Assembly concurred in Senate concurrent resolution No. 16, above reported.

Senate bill No. 73, above reported, read first and second times, and referred to Mendocino delegation.

On motion of Mr. Winchester, at twelve o'clock and fifty-six minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, January 9th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

Mr. Wiley made a report from the Committee on Indian Affairs, recommending the indefinite postponement of Assembly concurrent resolution No. 9.

Laid on the table.

Mr. Allen made the following report :

Mr. SPEAKER:—The San Joaquin delegation, to whom was referred Assembly bill No. 97, an Act to repeal an Act entitled an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin, have had the same under consideration, and respectfully beg leave to report the same back, and recommend its passage.

PERLEY,
ALLEN.

Mr. Hittell made the following report:

Mr. SPEAKER:—The San Francisco delegation have considered Assembly bill No. 89, relative to the office of Assessor of San Francisco, and recommend its passage.

HITTELL, for Delegation.

Mr. Wilsey made the following report:

Mr. SPEAKER:—The Mendocino delegation, to whom was referred Senate bill No. 73, an Act providing for a special election in Mendocino County, have had the same under consideration, and report the same back with a recommendation that it pass.

WILSEY, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Snyder moved to take up, for the purpose of reference, the resolution previously offered by him relative to the appointment of an Assistant Journal Clerk.

Lost.

Mr. Scott of Alameda, in accordance with a resolution introduced by him on yesterday, moved to have printed the minority report from the Committee on Ways and Means on Assembly bill No. 22.

Mr. Scott of Alameda called for the previous question.

The demand was sustained.

On adopting the amendment to the resolution, to print two hundred and forty copies, the ayes and noes were demanded, by Messrs. Ludlow, Sumner, and Martin, and taken, with the following result:

AYES—Messrs Alley, Badlam, Beaman, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro, Clark, Dyer, Gray, Hill, Hirst, Kewen, Langdon, Littlefield, Ludlow, Lynch, Martin, Parker, Perrin, Personette, Pratt, Redfield, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Van Leuven, Weston, Wiley, and Winchester—33.

NOES—Messrs. Allen, Bowman, Boulware, Brooks, Buffum, Chappell, Cherry, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Erksen, Fraser, Green, Hartsough, Hittell, Hoag, Hubbard, Jenison, Johnson, Kendrick, Lux, McCollum, Mebius, Owen, Perley, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Tukey, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Wilsey, Whallon, Wood, and Wright—12.

So the amendment was lost.

On adopting the original resolution, the ayes and noes were demanded, by Messrs. Martin, Sumner, and Scott of Alameda, and the House adopted the same, by the following vote:

AYES—Messrs. Allen, Badlam, Bowman, Boulware, Brooks, Buffum, Campbell of San Francisco, Castro, Cherry, Clayton, Devoe, Dickinson, Dodson, Dutton, Erkson, Gray, Green, Hill, Hittell, Hubbard, Jenison, Johnson, Lynch, McColliam, Mebius, Owen, Perley, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Tukey, Van Schaick, Walker of Alameda, Wason, Watson, Wiley, Wilsey, Wood, and Wright—40.

NOES—Messrs. Alley, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Chappell, Clark, Dow, Dyer, Fraser, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Personette, Pratt, Redfield, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Van Leuven, Walker of Fresno, Weston, Winchester, and Whallon—33.

The Speaker presented a report from the Managers of the San Francisco Ladies' Protection and Relief Society.

[For report, see Appendix.]

On motion of Mr. Watson, Assembly bill No. 22 was ordered printed.

Mr. Martin moved to have printed the sections of the amended revenue law of eighteen hundred and sixty-one, proposed to be amended by Assembly bill No. 22.

Lost.

At twelve o'clock m., on motion of Mr. Hubbard, the special order of the day was postponed ten minutes.

Mr. Tukey offered the following resolution :

Resolved, That the Committee on Printing cause four hundred and eighty copies of the report of the Judiciary on Senate bill No. 27 and Assembly bill No. 8 to be printed, and that two hundred and forty copies be allowed the Chairman of said committee, and the balance distributed pro rata among the members.

Laid over one day.

Mr. Owen offered the following resolution :

Resolved, That the usual number of the minority report on Assembly bill No. 39, relating to the qualifications of jurors, be printed.

Adopted.

On motion of Mr. Beaman, the special order was further postponed until half past twelve o'clock p. m.

Mr. Hittell moved to refer Assembly bill No. 22 to the Judiciary Committee.

The motion was lost, and the bill recommitted to the Committee on Ways and Means.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 9th, 1864. }

MR. SPEAKER :—The Senate yesterday passed Assembly bill No. 1, an Act to amend an Act entitled an Act to authorize the incorporation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine ;

Also, Senate concurrent resolution No. 14, relative to the Deaf, Dumb, and Blind Asylum, and ask the concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

Senate concurrent resolution No. 14, above reported, concurred in, and the Speaker appointed Messrs. Buffum, Dodson, and Hubbard, a select committee on the part of the House.

The House refused to adopt a motion by Mr. Watson, that the Committee on Federal Relations be requested to report, at an early day, the patriotic resolutions prepared by Mr. Hittell.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Winchester, for an Act to divide the State into Congressional Districts, and provide for election of representatives therein.

By Mr. Wright, an amendment to section one of Article II of the Constitution.

By Mr. Wood, for an Act amendatory of and supplementary to an Act for the relief of the enlisted men of the California Volunteers in the service of the United States.

By Mr. Scott of Alameda, for an Act in relation to assessing and collecting revenue in the County of Alameda.

Mr. Wright moved to postpone the special order ten minutes.

Mr. Littlefield proposed to postpone until Tuesday next, at twelve o'clock m.

Lost.

Mr. Hubbard moved to substitute "Thursday."

Lost.

The House further postponed the special order fifteen minutes, on motion of Mr. Buffum.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wright, for an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty three.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Wiley, for an Act supplementary to an Act to prohibit noisy and barbarous amusements on the Christian Sabbath, passed March sixteenth, eighteen hundred and fifty-five.

Read first and second times, and referred to the Committee on Public Morals.

By Mr. Wood, for an Act to prohibit gaming.

Read first and second times, referred to the Committee on Public Morals, and ordered printed.

By Mr. Dodson, for an Act granting the right of way over certain lands in this State, in the Counties of Lake and Sonoma, for the construction of a wagon road.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Castro, for an Act concerning grand and trial jurors in the

Counties of Monterey, San Luis Obispo, Santa Barbara, and Los Angeles.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wason, for an Act in relation to roads and Road Masters in Solano County.

Read first and second times, and referred to the Solano delegation.

By Mr. Johnson, for an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect tolls for travel thereon.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Hubbard, for an Act amendatory of an Act entitled an Act for the education and care of indigent Deaf, Dumb, and Blind in the State of California, and also of an Act amendatory thereof.

Read first and second times, and referred to the Committee on Hospitals.

Mr. Tukey asked and obtained leave for the Committee on State Prison to visit that institution when they deemed proper.

GENERAL FILE.

Assembly bill No. 46, an Act to authorize mining companies to change their places of business—read third time, and passed.

Assembly bill No. 65, an Act to authorize the Controller of State to issue duplicate warrant to Amos Adams—read third time, and passed.

Assembly bill No. 64, an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three—read third time, and passed.

SPECIAL ORDER.

At one o'clock P. M., the House took up the special order of the day, Assembly bill No. 33, an Act concerning Work-houses for the several counties in the State of California.

The bill was considered in Committee of the Whole, (Mr. Owen in the Chair.)

On motion of Mr. Martin, the committee rose.

IN ASSEMBLY.

The committee reported the bill with sundry amendments, and recommended its passage.

The House ordered the bill engrossed.

On motion of Mr. Wilsey, the rules were suspended, and Senate bill No. 73, an Act providing for a special election in Mendocino County, was considered.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Whallon, Dodson, and Walker of Fresno, and the bill was ordered read third time by the following vote:

AYES—Messrs. Allen, Beaman, Bowman, Boulware, Buffum, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erksan, Fraser, Gray, Hartsough, Hill, Hittell, Hubbard, Jenison, Johnson, Langdon, Ludlow, Lux, Lynch, Martin,

Owen, Parker, Perley, Perrin, Personette, Redfield, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, and Mr. Speaker—52.

NOES—Messrs. Dickinson, Kendrick, Kewen, Sepulveda, Smith of Sonoma, Walker of Fresno, and Whallon—7.

And the bill passed.

On motion of Mr. Martin, Assembly bill No. 15, as amended, was ordered printed.

Assembly bill No. 32, as amended, was ordered printed.

Assembly bill No. 33, as amended, was ordered printed.

At two o'clock and fifty minutes P. M., on motion of Mr. Van Leuven, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 11th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted to Messrs. McColliam, Rhodes, Alley, Wiley, Wood, and Brooks, for one day each.

Journal of Saturday read and approved.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 32, an Act to provide support for paupers;

Also, Assembly bill No. 33, an Act concerning Work-houses for the several counties in the State of California.

DYER, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 9th, 1864. }

To the Honorable the Assembly of California:

I have to inform your honorable-body that I have, this day, approved Assembly bill No. 6, an Act to create a Contingent Fund for Humboldt County.

FRED'K F. LOW,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Winchester offered a concurrent resolution condemnatory of the elevation to office of unworthy and disloyal persons.

Made the special order for Wednesday next, at twelve o'clock m.

Mr. Martin offered the following resolution :

Resolved, That the Committee on Enrolment is hereby authorized and required to investigate, and report to this House, whether it is necessary to employ an Assistant Journal Clerk.

Adopted.

On motion of Mr. Owen, the rules were suspended, and Assembly bill No. 98, an Act to re-district the County of Santa Clara, and to provide for the election of Supervisors, was taken up, read third time, and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 9th, 1864. }

Mr. SPEAKER :—The Senate, this day, passed substitute for Senate bill No. 1, an Act to provide for the collection of delinquent taxes in Granite School District, Sacramento County, and ask the concurrence of the Assembly therein ;

Also, amended and adopted Assembly concurrent resolution No. 11, concerning United States mail from Atchison, Kansas, to Folsom, California ;

Also, passed Assembly bill No. 48, an Act fixing the salary of the District Attorney of the County of Yolo.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 1, above reported, read first and second times, and referred to the Sacramento delegation.

The House concurred in Senate amendment to Assembly concurrent resolution No. 11, above reported.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Van Schaick, for an Act in relation to roads and highways in Santa Clara County.

By Mr. Hittell, for an Act to perfect the title to the Van Ness lands.

By Mr. Van Leuven, for an Act entitled an Act amendatory of and supplementary to an Act, approved March sixth, eighteen hundred and fifty-seven, and also an Act amendatory thereof, approved April twelfth, eighteen hundred and fifty-nine, to create a Board of Water Commissioners in the County of San Bernardino, and define their duties.

Mr. Cherry gave notice of an addition to the Standing Rules of the Assembly.

Laid over one day.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wright, for proposed amendments of section one, Article Two, of the Constitution.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Scott of Alameda, for an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Johnson, for an Act to repeal section twenty of an Act entitled an Act concerning Coroners, approved April nineteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Erkson, for an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Dodson, for an Act concerning dogs.

Read first and second times, referred to the Committee on Counties and County Boundaries, and ordered printed.

GENERAL FILE.

Assembly bill No. 83, an Act amendatory of and to extend the provisions of an Act entitled an Act to amend an Act to exempt the homestead and other property from forced sale in certain cases, passed April twenty-first, eighteen hundred and fifty-one, approved April twenty-eighth, eighteen hundred and sixty—indefinitely postponed.

On motion of Mr. Scott of Alameda, the rules were suspended, and a message from the Governor taken up.

The reading was dispensed with, and the message ordered printed.

[For message, see Appendix.]

• GENERAL FILE RESUMED.

Senate bill No. 26, an Act to amend an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty.

The bill having no indorsement of having been passed in the Senate, it was returned thereto for explanation.

Assembly bill No. 15, an Act relating to the legal settlement of paupers—read third time, and passed.

Assembly bill No. 7, an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco—amendments adopted, and ordered engrossed.

Assembly bill No. 9, an Act to punish certain malfeasance in office.

Mr. Scott of Alameda moved that the bill be laid temporarily on the table.

Lost.

Mr. Martin moved the indefinite postponement of the bill.

Lost.

The bill was ordered to bottom of the file.

A motion to print was lost.

Assembly bill No. 10, an Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, passed April twentieth, eighteen hundred and sixty-three—*indefinitely postponed*.

Assembly bill No. 12, an Act relative to bank notes—*indefinitely postponed*.

Assembly bill No. 21, an Act amendatory of an Act entitled an Act to define the boundaries and provide for the organization of Lake County, approved May twentieth, eighteen hundred and sixty-one—*recommitted to delegation, with instructions to report a substitute*.

Senate bill No. 22, an Act to provide for the allotment of Senators, pursuant to section six, Article IV, of the Constitution—*read third time*.

On its passage, the ayes and noes were demanded, by Messrs. Whallon, Kewen, and Walker of Fresno, and taken, with the following result:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hill, Hittell, Hubbard, Hunt, Hirst, Langdon, Littlefield, Lux, Lynch, Martin, Mebius, Owen, Parker, Perley, Perrin, Personette, Redfield, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Winchester, Wright, and Mr. Speaker—54.

NOES—Messrs. Dickinson, Hoag, Kendrick, Kewen, Sepulveda, Walker of Fresno, and Whallon—7.

So the bill passed.

Assembly bill No. 39, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—*indefinitely postponed*.

Assembly bill No. 47, an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April twentieth, eighteen hundred and sixty-three—*amendment adopted, and ordered engrossed*.

Assembly bill No. 55, an Act concerning appeals in certain cases—*indefinitely postponed*.

Assembly bill No. 71, an Act to provide for the collection of delinquent taxes in the County of Sierra—*rules suspended, considered engrossed, read third time, and passed*.

Assembly bill No. 72, an Act to amend an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three—*amendment adopted, and ordered engrossed*.

Assembly bill No. 74, an Act supplemental to and amendatory of an Act entitled an Act providing for the confinement of prisoners of the United States, approved February fourth, eighteen hundred and fifty-six—*rules suspended, considered engrossed, read third time, and passed*.

Assembly bill No. 84, an Act to prevent the trespassing of animals upon private property in the County of Santa Barbara—*rules suspended, considered engrossed, read third time, and passed, and title amended*.

Assembly bill No. 23, an Act relative to fees and salaries of officers—*recommitted to the Committee on Federal Relations*.

Assembly bill No. 24, an Act to amend an Act entitled an Act to provide revenue for the government of this State, passed May seventeenth, eighteen hundred and sixty-one—recommitted to Committee on Federal Relations.

Senate bill No. 25, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

This bill, having no indorsement of passage in the Senate, was ordered returned thereto for explanation.

Senate bill No. 32, an Act to authorize the Board of Supervisors of Napa County to levy a special tax to improve the public road from Napa Valley to Lake County—read third time, and passed.

Senate bill No. 8, an Act to regulate the recording of stamped instruments in writing—read third time, and passed.

At one o'clock and thirty-four minutes P. M., on motion of Mr. Watson, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 12th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

One day leave of absence was granted to Messrs. Cherry and Rule.

Journal of yesterday read and approved.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 47, an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April twentieth, eighteen hundred and sixty-three;

Also, Assembly bill No. 72, an Act to amend an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 13, an Act to fix the bonds of the Sheriff of Santa Clara County;

And on the eleventh day of January, at twenty minutes past eleven o'clock A. M., presented the same to the Governor for his approval;

Also, Assembly concurrent resolution No. 10.

REDFIELD, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

Mr. SPEAKER:—The Committee on Ways and Means, to whom was referred Assembly bill No. 35, an Act to exempt the property of the San Francisco Ladies' Protection and Relief Society from taxation, have had the same under consideration, and beg leave to report it back with a substitute, and recommend the passage of the substitute.

ALLEN, Chairman.

Mr. Personette, Chairman of the Committee on Mileage, made the following report:

Mr. SPEAKER:—The Committee on Mileage herewith make the following report of mileage due each member of the Committee on Hospitals for visiting the State Reform School near Marysville, State Insane Asylum at Stockton, and the several Hospitals in San Francisco:

| Names. | Miles. | Amount. |
|---------------|--------|---------|
| Buffum | 436 | \$87 20 |
| Weston | 436 | 87 20 |
| Gray..... | 436 | 87 20 |
| Hubbard | 346 | 69 20 |
| Dodson | 324 | 64 80 |

PERSONETTE, Chairman.

Adopted.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

Mr. SPEAKER:—The Judiciary Committee of the Assembly, to whom was referred Assembly bill No. 86, an Act amendatory of section four of an Act to restrict the Supervisors of the County of San Bernardino from creating more than one Election Precinct in the City and Ranch of San Bernardino and the Valley of Ukupa, approved April fifteenth, eighteen hundred and sixty-one, have had the same under consideration, report the same back with a substitute, and recommend the passage of the substitute;

Also, Assembly bill No. 91, an Act to change the name of James Fitzpatrick, with an amendment, and recommend the passage of the same as amended;

Also, Assembly bill No. 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento, and report the same back without recommendation;

Also, Assembly bill No. 99, an Act to extend the time for the completing the assessment roll and for collecting the taxes of El Dorado County, report the same back with a substitute, and recommend the passage of the substitute;

Also, Assembly bill No. 110, an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and sixty-three, and report the same back, with a recommendation of its passage.

CAMPBELL of San Francisco, Chairman.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report :

MR. SPEAKER :—The Hospital Committee, to whom was referred Assembly bill No. 108, an Act amendatory of an Act entitled an Act for the education and care of indigent Deaf, Dumb, and Blind in the State of California, and also an Act amendatory thereof, have had the same under consideration, report the bill back, and recommend its passage.

BUFFUM, Chairman.

Mr. Badlam made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred substitute for Senate bill No. 1, most respectfully report that they have examined the same, and recommend its passage

BADLAM, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Campbell of San Francisco introduced a series of concurrent resolutions indorsing all the measures of the National Government to suppress the rebellion, returning thanks to the gallant soldiers fighting the battles of their country, and reaffirming the unswerving loyalty of the State of California.

The resolution of thanks to the army was amended, to include the navy.

Mr. Watson moved to refer the series to the Committee on Federal Relations.

Lost.

Mr. Wright moved to amend, by making them the special order for Friday, January fifteenth.

Lost.

Mr. Whallon proposed to substitute "Wednesday, January twenty-seventh."

Lost.

On motion of Mr. Wright, the words "rebel government" were stricken out, and "rebels" substituted.

On the adoption of the resolutions, Messrs. Kewen, Whallon, and Kendrick, demanded the ayes and noes, and they were adopted by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Clark, Clayton, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hartsough, Hill, Hittell, Hubbard,

Hunt, Hirst, Jenison, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Personette, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, Wood, Wright, and Mr. Speaker—59.

NOES—Messrs. Brown of Tulare, Dickinson, Hoag, Kendrick, Kewen, Sepulveda, Smith of Sonoma, and Whallon—8.

Mr. Allen offered a resolution to authorize the printing of one thousand copies of Governor Low's Message of January, eleventh instant.

Laid over one day.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 12th, 1864. }

MR. SPEAKER:—The Senate yesterday amended and passed Assembly bill No. 3, an Act to grant Ruel Stickney the right to construct a bridge over Big River;

Also, Senate bill No. 37, an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo, approved March sixth, eighteen hundred and sixty-three;

Also, Senate bill No. 83, an Act concerning the Calaveras Mining Company;

Also, Senate concurrent resolution No. 17, relative to printing additional copies of the Controller's report;

Also, Senate concurrent resolution No. 18, relative to ordnance and ordnance stores promised by the Secretary of War of the United States to the State of California.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The Assembly concurred in Senate amendments to Assembly bill No. 3, above reported.

Senate bill No. 37, above reported, was read first and second times, rules suspended, read third time, and passed.

Senate bill No. 83, above reported, was read first and second times, and referred to the Committee on Mines and Mining Interests.

The Assembly concurred in Senate concurrent resolution No. 17, above reported.

Senate concurrent resolution No. 18, above reported, was read first and second times, and referred to the Committee on Military Affairs.

On motion of Mr. Watson, the rules were suspended, and Senate substitute for Senate bill No. 1, an Act to provide for the collection of delinquent taxes in Granite School District, Sacramento County, was taken up, the rules again suspended, and the bill read third time, and passed.

Mr. Badlam gave notice of the introduction of a bill for an Act to exempt the property of military companies from taxation.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 1, an Act to amend an Act entitled an Act to authorize the incorporation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine;

Also, Assembly bill No. 48, an Act fixing the salary of the District Attorney of the County of Yolo;

And on this, the twelfth day of January, eighteen hundred and sixty-four, at eleven o'clock and forty minutes A. M., delivered the same to the Governor for his approval.

Also, have examined, and found correctly enrolled, Assembly concurrent resolution No. 11, concerning United States mail routes from Atchison, in Kansas, to Folsom, in California.

REDFIELD, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wood, for an Act concerning the office of County Clerk of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Brown of Amador, for an Act to provide for the collecting, compiling, and digesting the laws of the State of California.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Owen, for an Act to repeal Chapter III of the laws of eighteen hundred and fifty-eight.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wason, for an Act amendatory of and supplemental to an Act to fund the debt of Solano County, and to provide for the payment thereof, passed April twenty-fourth, eighteen hundred and fifty-seven.

Read first and second times, and referred to the Solano delegation.

By Mr. Dodson, for an Act to exempt from forced sale certain property.

Read first and second times, and referred to the Committee on Ways and Means.

GENERAL FILE.

Assembly bill No. 32, an Act to provide for the support of paupers—read third time, and passed.

Assembly bill No. 33, an Act concerning Work-houses for the several counties in the State of California—read third time, and passed.

Assembly bill No. 40, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty—reported with a substitute, substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 49, an Act amendatory of an Act entitled an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum, and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 56, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty—indefinitely postponed.

Assembly bill No. 69, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—reported with substitute, substitute adopted, and ordered engrossed.

Assembly bill No. 88, an Act to fix the amount of the official bond of the Public Administrator of the County of El Dorado—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 95, an Act to amend an Act entitled an Act concerning certain salaries in the County of Santa Barbara, approved March sixteenth, eighteen hundred and sixty-three—considered engrossed, the rules being suspended, read third time, and passed.

Assembly bill No. 89, an Act in relation to the office of Assessor of the City and County of San Francisco—considered engrossed, the rules being suspended, read third time, and passed.

Assembly bill No. 97, an Act to repeal an Act entitled an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin—considered engrossed, the rules being suspended, read third time, and passed.

Assembly bill No. 9, an Act to punish certain malfeasances relative to office.

The first section of the bill was struck out.

Mr. Hittell offered the following amendment: Amend by striking out section six, and insert:

“Section 6. The violation of the prohibitions in the preceding sections of this Act shall be a misdemeanor, and on conviction shall be punished by a fine not to exceed one thousand dollars, and by imprisonment in the County Jail for a term not to exceed one year, and by removal from office, if the criminal, at the time of sentence, should hold any official position under the authority of this State.”

Adopted.

On motion of Mr. Littlefield, the bill was indefinitely postponed.

Mr. Littlefield, by leave, offered the following resolution:

Resolved, That the per diem of the Post Master of this House be and is hereby raised to four dollars.

Ruled out of order.

On motion of Mr. Beaman, at one o'clock and twenty-four minutes p. m., the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 13th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Messrs. Redfield and Cherry, absent yesterday, asked and obtained leave to be recorded with those voting affirmatively on the patriotic resolutions introduced by Mr. Campbell of San Francisco.

Messrs. Owen, Kewen, Teare, and Martin asked leave to be recorded as present at roll call this morning.

The House so ordered.

PETITIONS.

Mr. Wason presented a petition of citizens of Solano County, praying the imposition of an increased School tax.

Referred to the Committee on Education.

Mr. Dodson presented a petition relative to the location of the county seat of Lake County.

Referred to delegation from Lake and Napa.

REPORTS.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect tolls for travel thereon, have had the same under consideration, and beg leave to report it back, with the recommendation that it pass. Said bill being accompanied by a petition of the Board of Supervisors of Marin County, praying for its adoption, your committee respectfully request that the petition be read, and placed on file.

LUDLOW, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER:—The Committee on Claims, having had under consideration the petition of A. H. Osborn, Attorney for Conklin Brush and others, find that the parties, by a failure to comply with the Consolidation Act of April twenty-fourth, eighteen hundred and fifty-eight, have forfeited their claim, and recommend that it be not allowed.

CAMPBELL of El Dorado, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 7, an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco ;

Also, Assembly bill No. 40, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty ;

Also, Assembly bill No. 49, an Act amendatory of an Act defining the legal distances from each county seat to the Capital, Lunatic Asylum,

and State Prison, approved April twenty-fourth, eighteen hundred and fifty-eight.

DYER, Chairman.

Mr. Hittell made the following report :

MR. SPEAKER:—The San Francisco delegation have considered Assembly bill No. 2, to extend the time for completing the street railroad known as the "Central," in San Francisco, and recommend its passage, with an amendment.

HITTELL, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Wright offered the following resolution :

Resolved, That the portion of the Governor's Message relating to State finances be referred to the Committee on Ways and Means; that the portion relating to the National currency be referred to a special committee of five.

Adopted.

Mr. Owen offered the following resolution :

Resolved, That the Chief Clerk of the Assembly shall be entitled to the same number of newspapers as allowed to members, and the Sergeant-at-Arms is hereby authorized to forward his orders for the same.

Adopted.

Mr. Buffum offered a preamble and concurrent resolution relative to the submerged ironclad Comanche.

Read first and second times, and referred to the Committee on Military Affairs.

Mr. Scott of Alameda offered a concurrent resolution, instructing the Governor to inform Senator J. A. McDougall that he can best forward the interests of the people of this State by immediately sending in his resignation as one of California's Senators.

Read first and second times, and referred to the Committee on Federal Relations.

Mr. Martin offered the following resolution :

Resolved, That the special committee on the State Reform School report be and are hereby authorized and allowed—if they deem it necessary—to visit the State Reform School; and they are further empowered to examine any and all books, papers, or accounts belonging to the same, to subpoena witnesses, administer oaths, and take testimony pertaining to the condition or management of that institution.

Adopted.

The concurrent resolution offered by Mr. Allen to print nine hundred and sixty copies of the Governor's message of January eleventh, was adopted.

On motion of Mr. Badlam, the House ordered printed four hundred and eighty copies of the resolutions introduced by Mr. Campbell of San Francisco.

Mr. Cherry offered the following additional rule :

"When a member shall ask to have a bill taken up out of its regular order, he shall, in making the motion, give the number and title of such bill."

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 13th, 1864. }

Mr. SPEAKER:—The Senate yesterday passed Senate substitute for Assembly bill No. 20, an Act to appropriate certain moneys out of the Military Fund ;

Also, Assembly bill No. 74, an Act supplemental to an Act providing for the confinement of prisoners of the United States, approved February fourth, eighteen hundred and fifty-six ;

Also, Senate bill No. 26, an Act to amend an Act defining the time for commencing civil actions ;

Also, Senate bill No. 53, an Act to amend an Act concerning the Courts of justice of this State ;

Also, Senate bill No. 56, an Act to amend an Act authorizing the Board of Supervisors of Sierra County to levy certain taxes ;

Also, Senate bill No. 68, an Act regulating payments of money into the Treasury of Sierra County.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 26, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 53, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 56, above reported, read first and second times, and referred to the Sierra delegation.

Senate bill No. 68, above reported, read first and second times, and referred to the Sierra delegation.

Senate substitute for Assembly bill No. 20, above reported, referred to the Committee on Military Affairs.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 13th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 1, an Act to amend an Act entitled an Act to authorize the incorporation of rural cemetery associations, approved April eighteenth, eighteen hundred and fifty-nine ;

Also, Assembly bill No. 13, an Act to fix the bonds of the Sheriff of the County of Santa Clara ;

Also, Assembly bill No. 48, an Act fixing the salary of the District Attorney of the County of Yolo.

FRED'K F. LOW,
Governor.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Scott of Alameda, for an Act to amend sections two and seventeen of an Act to provide for the maintenance and support of Common Schools.

By Mr. Brown of Amador, for an Act granting the right of way to construct a turnpike road between the Town of Pine Grove and Jackson, in the County of Amador.

By Mr. Dodson, for an Act to remove the county seat of Lake County.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Scott of Alameda, for an Act to provide for assessing and collecting taxes in the County of Alameda.

Read first and second times, and referred to the Alameda delegation.

By Mr. Bowman, for an Act to authorize John B. Thompson, and his associates and assigns, to construct and maintain a marine railway in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Hubbard, for an Act to reduce the penalty of the official bond of the Sheriff of Yuba County.

Read first and second times, and referred to the Yuba delegation.

By Mr. Owen, for an Act to authorize the City of San José to loan its credit for School purposes, and to provide for the redemption of the same.

Read first and second times, and ordered to General File.

By Mr. Hoag, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

SPECIAL ORDER.

At twelve o'clock M., the House took up the special order of the day, Assembly concurrent resolution No. 12, condemnatory of the appointment to offices of honor and profit of vicious and disloyal persons.

Mr. Whallon raised a point of order that the resolution embraced no legitimate question of legislation, and should not, therefore, be further considered.

The Speaker ruled the point of order not well taken.

On motion of Mr. Hubbard, the resolution was referred to a special committee of three.

The Speaker appointed Messrs. Hubbard, Winchester, and Wood, as such committee.

Mr. Badlam introduced a bill for an Act to provide for the support of the Fire Department of the City of Sacramento.

Read first and second times, and referred to the Sacramento delegation.

GENERAL FILE.

Assembly bill No. 47, an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April twentieth, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 72, an Act to amend an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 35, an Act to exempt the property of the San Francisco Ladies' Protection and Relief Society from taxation—substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento—recommitted to Sacramento delegation.

Assembly bill No. 86, an Act amendatory of section four of an Act to restrict the Supervisors of the County of San Bernardino from creating more than one Election Precinct in the City and Ranch of San Bernardino and the Valley of Ukipa, approved April fifteenth, eighteen hundred and sixty-one—substitute adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 91, an Act to change the name of James Fitzpatrick—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 99, an Act to extend the time for the completing the assessment roll and for collecting the taxes of El Dorado County—substitute adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 110, an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and sixty-three—ordered engrossed.

Assembly bill No. 60, an Act to amend an Act entitled an Act to amend an Act to regulate elections, approved April twenty-seventh, eighteen hundred and fifty-five—amended, and ordered engrossed

On motion of Mr. Campbell of San Francisco, the Clerk of the Assembly was directed to have correctly printed, as amended, Assembly bill No. 32.

Mr. Whallon was granted indefinite leave of absence.

On motion of Mr. Kewen, at one o'clock p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 14th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Sepulveda was granted four days leave of absence.

Messrs. Hubbard and Boulware, who were absent at roll call, asked and obtained leave to be recorded as present thereat.

Mr. Speaker announced the appointment of the following special committee on Governor Low's message on the State finances: Messrs. Wright, Brown of Amador, Campbell of San Francisco, Martin, and Owen.

REPORTS.

Mr. Chappell, Chairman of the Committee on Public Expenditures, made the following report:

MR. SPEAKER:—Your Committee on Public Expenditures and Accounts, having examined, and found correct, the following accounts, respectfully report the same back and recommend the adoption of the accompanying resolution:

| To whom due. | Amount. |
|--|----------|
| S. Van Doren, Agent Petaluma Argus..... | \$150 00 |
| L. B. Dell, Agent Wine, Wool, and Stock Journal..... | 144 00 |
| J. A. Vaughn, Agent Mining and Scientific Press..... | 117 00 |
| Dewey & Vaughn, Mountain Messenger..... | 183 00 |
| C. Rave, repairing furniture of Assembly room..... | 53 25 |
| O. B. Powers & Co., Solano Herald..... | 9 00 |
| J. N. Chappell, Agent Shasta Courier.. | 39 00 |
| C. A. Carolan, Sunday Mercury..... | 108 00 |
| Owen & Cottle, San José Mercury..... | 126 00 |
| Total..... | \$929 25 |

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly as follows:

In favor of S. Van Doren, for one hundred and fifty dollars;
 In favor of L. B. Dell, for one hundred and forty-four dollars;
 In favor of J. A. Vaughn, for one hundred and seventeen dollars;
 In favor of Dewey & Vaughn, for one hundred and eighty-three dollars;
 In favor of C. Rave, for fifty-three dollars and twenty-five cents;
 In favor of O. B. Powers & Co., for nine dollars;

In favor of J. N. Chappell, for thirty-nine dollars ;
 In favor of C. A. Carolan, for one hundred and eight dollars ;
 In favor of Owen & Cottle, for one hundred and twenty-six dollars.
 CHAPPELL, Chairman.

Adopted.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims, to whom was referred the petition of George Nelson, asking that the expense incurred by reason of a re-location of a certain tract of land in the County of Sutter, find that the petition itself is evidence of the fact that the petitioner, by his own neglect, incurred the extra expense. We therefore report adversely to the claim.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims have had under consideration the petition and Assembly bill No. 85, for the relief of William B. Latham, Jr., and recommend that the bill be passed.

CAMPBELL of El Dorado, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

MR. SPEAKER :—The Committee on Ways and Means, to whom was referred Assembly bill No. 53, an Act making appropriation for a deficiency in the appropriation made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three, having had the same under consideration, report it back with an amendment, and recommend its passage as amended.

ALLEN, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 69, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Assembly bill No. 60, an Act to amend an Act entitled an Act to amend an Act to regulate elections, approved April twenty-seventh, eighteen hundred and fifty-five ;

Also, Assembly bill No. 110, an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Snyder, Chairman of the Committee on Mines and Mining Interests, made the following report :

MR. SPEAKER:—Your Committee on Mines and Mining Interests, to whom was referred Senate bill No. 83, have had the same under consideration, and report the same back, and recommend that it pass.

SNYDER, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report:

MR. SPEAKER:—The Committee on Military Affairs, to whom was referred Senate substitute for Assembly bill No. 20, entitled an Act to appropriate certain moneys out of the Military Fund, have had the same under consideration, and beg leave to report the same back, and recommend the passage of the substitute.

WOOD, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 43, an Act amendatory of and supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute;

Also, Assembly bill No. 118, an Act to repeal Chapter One Hundred and Three of the laws of eighteen hundred and fifty-eight, report the same back, with recommendation of its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report:

MR. SPEAKER:—The Committee on Military Affairs, to whom was referred Assembly concurrent resolutions relating to the ironclad Comanche, have had the same under consideration, and beg leave to report that they deem it inexpedient to take any action in the matter until further information is obtained in regard to the subject matter of the resolutions. To this end we recommend the adoption of the following resolution:

Resolved, That the Committee on Military Affairs are hereby authorized to appoint a sub-committee of three to proceed to San Francisco, for the purpose of obtaining such information in regard to the condition of the Comanche as will enable them to suggest such reasonable action by the Legislature as may result in the speedy completion of that vessel, and thus greatly improve our harbor defences.

WOOD, Chairman.

Adopted.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report:

MR. SPEAKER:—The Committee on Military Affairs, to whom was referred Senate concurrent resolution No. 18, in relation to arms, beg leave to report that General Wright has directed the issuing of one thousand stand of improved rifled muskets and equipments, on the requisition of

the Adjutant-General, which will supply the immediate wants of the infantry companies now organized. The Government has not cavalry arms here sufficient to issue, at present, a supply for the use of the militia.

Your committee would ask further time in which to make a full report.

WOOD, Chairman.

Mr. Weston made the following report :

MR. SPEAKER :—The Sierra delegation, to whom was referred Senate bill No. 68, an Act regulating the payments of money into the Treasury of Sierra County ;

Likewise, Senate bill No. 56, an Act to amend an Act entitled an Act authorizing the Board of Supervisors of Sierra County to levy certain taxes for county purposes, approved March thirteenth, one thousand eight hundred and sixty, having had the same under consideration, report the same back to the House and recommend their passage.

WESTON, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Hill offered a concurrent resolution relative to a mail route in Southern California.

Referred to the Committee on Federal Relations.

On motion of Mr. Jenison, the rules were suspended, and Assembly concurrent resolution No. 9, concerning the Nome Lackee Reservation, was taken up, and referred to the Committee on Public Lands.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
January 14th, 1864. }

MR. SPEAKER :—The Senate yesterday passed Assembly bill No. 98, an Act to re-district the County of Santa Clara ;

Also, Senate bill No. 25, an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Senate bill No. 36, an Act to extend the time for completing the turnpike road in the County of Amador :

Also, Senate bill No. 64, an Act to confirm the election of Boards of Supervisors in the several counties of this State ;

Also, Senate bill No. 84, an Act to appropriate money to pay the claim of F. F. Fargo ;

Also, on the twelfth instant, passed Senate bill No. 45, an Act to repeal an Act entitled an Act to organize townships, passed May eighteenth, eighteen hundred and sixty two.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
January 13th, 1864. }

MR. SPEAKER :—The Senate yesterday concurred in Assembly concurrent resolution No. 16, relative to printing nine hundred and sixty copies

of Governor Low's message of January eleventh, eighteen hundred and sixty-four.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 25, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 64, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 86, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Senate bill No. 84, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 45, above reported, read first and second times, rules suspended, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Campbell of San Francisco, for an Act amendatory of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, for an Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Martin, for an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada.

Read first and second times, and referred to the Nevada delegation.

By Mr. Brown of Amador, for an Act to grant the right to construct a turnpike road between the Town of Pine Grove and a point on the road leading up the middle fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in Amador County.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Hittell, for an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Dyer, for an Act supplementary to an Act entitled an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven, approved April eighth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Claims.

Also, for an Act to amend an Act entitled an Act to amend an Act entitled an Act relating to the levying of taxes, approved May fifteenth,

eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

Also, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, approved March third, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Wilcox, for an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Scott of Amador, for an Act concerning attachments in civil cases.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly bill No. 7, an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco—read third time, and passed.

Assembly bill No. 2, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two, and to an Act supplementary to and amendatory of said Act, approved March twenty-eighth, eighteen hundred and sixty-three.

Mr. Boulware demanded the previous question.

The House so ordered.

On adopting the amendment offered by the San Francisco delegation, the ayes and noes were demanded, by Messrs Cherry, Walker of Alameda, and Wood, and taken, with the following result :

AYES—Messrs Badlam, Bowman, Boulware, Brooks, Buffum, Campbell of San Francisco, Cherry, Clark, Clayton, Dutton, Fraser, Gray, Green, Hill, Hittell, Hoag, Hunt, Hirst, Jenison, Littlefield, Lux, McColliam, Mebius, Perley, Redfield, Rhoads, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Winchester, and Wood—39.

NOES—Messrs. Allen, Alley, Beaman, Brown of Amador, Campbell of El Dorado, Chappell, Dickinson, Dodson, Dow, Erkson, Hubbard, Kewen, Langdon, Ludlow, Owen, Parker, Perrin, Personette, Scott of Alameda, Scott of Siskiyou, Wilcox, Wilsey, and Wright—24.

So the amendments were adopted.

The second amendment was also adopted.

The bill was ordered engrossed.

Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect toll for travel thereon—ordered engrossed.

Assembly bill No. 122, an Act to authorize the City of San José to loan its credit for School purposes, and to provide for the redemption of the same—rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Redfield, at one o'clock and twenty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 15th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Dr. Peck.

Journal of yesterday read and approved.

Leave of absence was granted to Mr. Castro for one day, to Mr. Hart-sough for two days, and to Messrs. Dickinson, Kendrick, and Kewen, for three days, each.

Mr. Owen presented a memorial from the Board of Trustees of the College of California.

Referred to the Special Committee on Agricultural College.

The Speaker presented the annual report of the President and Secretary of the San Francisco Protestant Orphan Asylum.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 91, an Act to change the name of James Fitzpatrick;

Also, Assembly bill No. 122, an Act to authorize the City of San José to loan its credit for School purposes, and to provide for the redemption of the same.

DYER, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report:

MR. SPEAKER:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 19, an Act to provide for a turnpike road commencing at the junction of the Big Tree and Amador and Sierra Nevada Wagon Roads, in Amador County, and running thence through Carson Cañon to Woodford's Station, at the eastern terminus of Carson Cañon, and Assembly bill No. 28, an Act granting the right of way to construct a plank and turnpike road from a point in Hope Valley,

through Carson Cañon, to the eastern terminus of said cañon, beg leave to report that, after giving said bills much consideration and hearing much testimony, they have come to the conclusion to report both bills back to the House without recommendation, for the following reasons: The parties named in each of those bills ask for a franchise to build a road through a certain cañon, and as both parties, under various pretexts and titles, claim substantially the same ground and route, and have submitted their claims to the adjudication of the Courts, your committee do not feel inclined, by their action, to be the means, perhaps, of summarily disposing of a question that may be better decided in a Court of law.

LUDLOW, Chairman.

Mr. Owen, Chairman of the Committee on Education, made the following report:

MR. SPEAKER:—The Committee on Education, to whom was referred Assembly bill No. 30, relating to levying a per capita tax of three dollars on all unmarried men of lawful age, for Common School purposes, have had the same under consideration, and ask leave to submit the following report:

Your committee are of opinion that a discriminating tax of the kind proposed would work a great hardship on a worthy but unfortunate class of our fellow citizens. Laws should be equal in their operations, and by no act of legislation should we add to the misfortunes of a large and tolerably respectable portion of the community. It would be taxation without representation, and a contravention of the spirit of the Declaration of Independence. For these reasons, and many others we might mention, your committee recommend the indefinite postponement of the bill.

OWEN, Chairman.

Mr. Lux, Chairman of the Committee on Public Buildings, made the following report:

MR. SPEAKER:—Your Committee on Public Buildings, to whom was referred Assembly bill No. 79, an Act for the completion of the State Capitol, and to provide for the payment of the same, have had the same under consideration, and report it back with an amendment to section eleven, and recommend that the bill pass as amended.

LUX,
WATSON,
SCOTT of Alameda,
BEAMAN.

The Committee on Public Buildings also made a report relative to the condition and progress of the new State Capitol.

Ordered printed.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:—The Committee on Claims have had under consideration Assembly bill No. 81, an Act to provide for the payment of the claim of H. H. Baneroft & Co. In view of the fact that the books designated in the bill were furnished in accordance with a special Act, approved April fourteenth, eighteen hundred and sixty-three, entitled an

Act to provide for furnishing the county officers of Amador County with the statutes of the State of California and the Supreme Court reports, we beg leave to report the bill back, with a recommendation that it pass.
 CAMPBELL of El Dorado, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 64, an Act entitled an Act to confirm the election of Boards of Supervisors in the several counties of this State, report the same back, and recommend the passage of the same ;

Also, Assembly bill No. 131, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, and report the same back, with recommendation of its indefinite postponement ;

Also, Assembly bill No. 38, an Act to amend an Act entitled an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and sixty-two, as amended by an Act approved April twenty-fifth, eighteen hundred and sixty-three, report the same back with a substitute, and recommend the passage of the substitute ;

Also, Assembly bill No. 127, an Act amendatory of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and recommend the passage of the same ;

Also, Senate bill No. 25, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, report the same back with an amendment, and recommend the passage of the same as amended ;

Also, Assembly bill No. 128, an Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-two, and recommend the passage of the same ;

Also, Senate bill No. 53, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, passed April twentieth, eighteen hundred and sixty-three, report the same back with an amendment, and recommend the passage of the same as amended.

CAMPBELL of San Francisco, Chairman.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report :

MR. SPEAKER :—Your Committee on Hospitals, to whom was referred Assembly bill No. 108, an Act supplemental to an Act for the education and care of indigent Deaf, Dumb, and Blind, approved April, eighteen hundred and sixty, and also to an Act supplemental thereto, approved March twenty-ninth, eighteen hundred and sixty-one, have had the same under consideration, and would respectfully report the following as a substitute, and recommend its passage.

BUFFUM, Chairman.

Mr. Allen made the following report :

Mr. SPEAKER :—The Sacramento and San Joaquin delegations, to whom was referred Assembly bill No. 27, an Act for the construction of a bridge across the Mokelumne River, have had the same under consideration, and beg leave to report it back with amendments, and recommend its passage as amended.

ALLEN, for Delegations.

Mr. Dodson made the following report :

Mr. SPEAKER :—The special committee, to whom was referred the petition of citizens of Lake County, asking that the county seat of said county be changed, have examined into the questions stated in said petition, and herewith present a bill in accordance with the prayer of said petitioners.

DODSON, for Committee.

Mr. Hubbard made the following report :

Mr. SPEAKER :—The Yuba delegation, to whom was referred Assembly bill No. 121, relating to the reduction of the penalty of the official bond of the Sheriff of Yuba County, report the same back to the House, and recommend its passage.

HUBBARD, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Wright offered the following resolution :

Resolved, That five or more members of the Judiciary Committee shall constitute a quorum for the transaction of business in said committee.

Adopted.

Mr. Cherry offered the following concurrent resolution :

Resolved, By the Assembly, the Senate concurring, that the usual number of copies of the report of the Trustees of the Protestant Orphan Asylum be ordered printed.

Adopted.

Mr. Hubbard offered the following resolution :

Resolved, That the Committee on Military Affairs be permitted to make the examination relating to the condition of the Comanche, ordered yesterday.

MESSAGE FROM THE SENATE.

The rules were suspended for the purpose of considering the following :

SENATE CHAMBER, }
January 15th, 1864. }

Mr. SPEAKER :—I am instructed to inform the Assembly that the Senate, this day, adopted a resolution for a Joint Convention, to be held this day, at twelve o'clock and thirty minutes P. M., for the purpose of electing a State Harbor Commissioner.

CHAS. WESTMORELAND,
Secretary.

The House concurred in the resolution above reported.

On resuming the consideration of the resolution offered by Mr. Hubbard, Mr. Campbell of San Francisco demanded the previous question.

The House so ordered.

The resolution was not adopted.

Mr. Martin moved to rescind the resolution adopted yesterday, allowing a sub-committee of the Committee on Military Affairs to visit San Francisco concerning the submerged Comanche.

Pending consideration, the House took a recess, preparatory to the Joint Convention.

IN JOINT CONVENTION.

The Senate and Assembly met in Joint Convention, pursuant to the concurrent resolution adopted this morning.

Senator Burnell, President pro tem of the Senate, and Honorable W. H. Sears, Speaker of the House, presiding.

Senate roll called.

Absent—Messrs. Hawes, Heacock, Montgomery, and Tuttle.

House roll called.

Absent—Messrs. Brown of Tulare, Castro, Devoe, Dickinson, Johnson, Kendrick, Kewen, Lynch, Mitchell, Pratt, Rule, Sepulveda, Tukey, Wiley, and Whallon.

The joint resolution under which the Convention was called was read by the Secretary.

On motion of Senator Hartson, the Secretary of the Senate and the Clerk of the House were appointed Tellers.

FOR STATE HARBOR COMMISSIONER.

Nominations for State Harbor Commissioner being in order, Mr. Shafter placed in nomination Stephen S. Tilton, of San Francisco.

There being no further nominations, the roll was called, with the following result:

| Names. | Tilton. |
|------------------|---------|
| Benton | 1 |
| Buckley | 1 |
| Burnell | 1 |
| Cot | 1 |
| Crane | 1 |
| Cunningham | 1 |
| Dodge | 1 |
| Evans | 1 |
| Foulke | 1 |
| Freeman | 1 |
| Gaskill | 1 |
| Hale | 1 |
| Hall | 1 |
| Hamilton | 1 |
| Hartson | 1 |
| Haswell | 1 |
| Haskin | 1 |

| Names. | Tilton. |
|--------------------------------|---------|
| Jones..... | 1 |
| Kutz | 1 |
| Leonard..... | 1 |
| Lovett | 1 |
| Maddox | 1 |
| McMurtry | 1 |
| Meyers | 1 |
| Moyle | 1 |
| Pierce | 1 |
| Porter | 1 |
| Redington | 1 |
| Roberts..... | 1 |
| Rush..... | 1 |
| Shafter | 1 |
| Shepard | 1 |
| Smith | 1 |
| Wright..... | 1 |
| Yule..... | 1 |
| Allen | 1 |
| Alley..... | 1 |
| Badlam | 1 |
| Beaman..... | 1 |
| Bowman | 1 |
| Boulware..... | 1 |
| Brooks | 1 |
| Brown of Amador | 1 |
| Buffum | 1 |
| Campbell of El Dorado | 1 |
| Campbell of San Francisco..... | 1 |
| Chappell..... | 1 |
| Cherry | 1 |
| Clayton..... | 1 |
| Dodson | 1 |
| Dow..... | 1 |
| Dutton | 1 |
| Dyer | 1 |
| Fraser..... | 1 |
| Gray | 1 |
| Green | 1 |
| Hill | 1 |
| Hittell | 1 |
| Hubbard..... | 1 |
| Hunt | 1 |
| Hirst..... | 1 |
| Jenison | 1 |
| Langdon..... | 1 |
| Littlefield..... | 1 |
| Ludlow | 1 |
| Lux..... | 1 |
| Martin..... | 1 |
| McColliam..... | 1 |

| Names. | Tilton. |
|------------------------|---------|
| Mebius | 1 |
| Owen..... | 1 |
| Parker..... | 1 |
| Perley..... | 1 |
| Perrin..... | 1 |
| Personette..... | 1 |
| Redfield | 1 |
| Rhoads..... | 1 |
| Scott of Alameda..... | 1 |
| Scott of Siskiyou..... | 1 |
| Smith of Nevada..... | 1 |
| Smith of Sonoma..... | 1 |
| Snyder | 1 |
| Sumner..... | 1 |
| Teare..... | 1 |
| Van Leuven..... | 1 |
| Van Schaick..... | 1 |
| Walker of Alameda..... | 1 |
| Walker of Fresno..... | 1 |
| Wason..... | 1 |
| Watson | 1 |
| Wilcox..... | 1 |
| Wilsey..... | 1 |
| Winchester..... | 1 |
| Wood | 1 |
| Wright | 1 |
| Mr. Speaker..... | 1 |
| Total..... | 99 |

Total number of votes cast..... 99
Necessary to a choice..... 50

Mr. Tilton, having received the entire number cast, was declared duly elected State Harbor Commissioner.

The object of the Convention being accomplished, the President declared it adjourned *sine die*.

IN ASSEMBLY.

Roll called.

Quorum present.

Leave of absence was granted to Messrs. Owen, Brooks, and Allen, for two days each, and indefinite leave to Messrs. Alley, Watson, Buffum, Campbell of San Francisco, and Dodson.

Mr. Dodson had leave to introduce a bill for an Act to change and fix the county seat of Lake County.

Read first and second times, and referred to Lake and Napa delegation.

Mr. Martin offered the following resolution :

Resolved, That the Committee on Military Affairs be and are hereby authorized to administer oaths, and take testimony any way pertaining to the situation, condition, or management of the Aquila, and the Comanche now on board the Aquila, since their arrival in the Harbor of San Francisco, and they are further allowed to visit San Francisco, if they may deem it necessary.

On motion of Mr. Cherry, laid on the table.

Mr. Beaman moved to adjourn.

Lost.

Mr. Hubbard moved to resume the consideration of the resolution offered this morning by Mr. Martin.

Lost.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Cherry, for an Act for the relief of Mary Bowie.

By Mr. Langdon, for an Act to amend section twenty-four of the Election Law.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Buffum, for an Act to promote the study of anatomy.

Read first and second times, and referred to the Committee on Hospitals.

Also, for an Act for the preservation of the public health.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Dodson, for an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the Act amendatory thereof, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wilcox, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly bill No. 60, an Act to amend an Act entitled an Act to amend an Act to regulate elections, approved April twenty-seventh, eighteen hundred and fifty-five—read third time, and passed.

Assembly bill No. 110, an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and fifty-three—read third time, and passed.

Mr. Beaman moved to adjourn.

Lost.

The rules were suspended to allow Mr. Lux to introduce a concurrent resolution requesting the Governor to communicate with the General Government in relation to the Aquila.

Read first and second times, and referred to the Committee on Military Affairs.

The rules were suspended, and the House took from the table the resolution offered by Mr. Martin, allowing the Committee on Military Affairs to take testimony in San Francisco.

Mr. Wright raised the point of order that, substantially, the resolution embraced the same object contemplated by a resolution offered by Mr. Hubbard, and negatived by the House, and therefore should not be entertained.

The Speaker ruled the point of order not well taken.

Mr. Wright appealed from the decision of the Chair.

On the appeal, the ayes and noes were demanded, by Messrs. Wright, Scott of Alameda, and Rhoads, and taken, with the following result:

AYES—Messrs. Beaman, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Clark, Clayton, Dow, Erkson, Fraser, Green, Hittell, Hubbard, Jenison, Ludlow, Lux, Martin, Parker, Perley, Perrin, Rhoads, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Weston, Winchester, and Wood—34.

NOES—Messrs. Redfield, Scott of Alameda, and Wright—3.

No quorum voting.

The question was again put viva voce, by which the decision of the Chair was sustained and declared the judgment of the House.

Mr. Wright moved a call of the House.

Ordered.

The roll was called, and the following gentlemen failed to respond:

Messrs. Allen, Alley, Badlam, Bowman, Brooks, Brown of Amador, Campbell of San Francisco, Castro, Devoe, Dickinson, Dodson, Dutton, Gray, Hartsough, Hill, Hoag, Hunt, Johnson, Kendrick, Kewen, Langdon, Lynch, Mebius, Mitchell, Owen, Parker, Pratt, Rule, Scott of Siskiyou, Sepulveda, Snyder, Tukey, Walker of Fresno, Watson, Wilcox, Wiley, Wilsey, and Whallon.

Mr. Wright moved to adjourn.

Lost.

Mr. Chappell moved to suspend further proceedings under the call.

Lost.

Mr. Winchester moved that the Sergeant-at-Arms be ordered to arrest all absentees without leave, and bring them before the House.

Adopted.

Pending further action, on motion of Mr. Walker of Alameda, at two o'clock and fifteen minutes, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, January 16th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted to Messrs. Rule, Hill, Lynch, Cherry, Dutton, and McColliam, for two days each, to Mr. Badlam for three days, and to Mr. Gray indefinite leave.

The Journal of yesterday was read, and, the number of votes received by S. S. Tilton for Harbor Commissioner being inserted, approved.

REPORTS.

Mr. Chappell, Chairman of the Committee on Public Expenditures and Accounts, made the following report :

MR. SPEAKER :—Your Committee on Public Expenditures and Accounts having examined, and found correct, the following accounts, beg leave to report the same, and recommend the adoption of the accompanying resolution :

| To whom due. | Amount. |
|---|----------|
| George I. Lytle, for Evening Bulletin to Jan'y 2..... | \$116 00 |
| For Daily Appeal to January 2..... | 44 00 |
| For Daily Independent to January 2..... | 20 00 |
| For Weekly Bulletin for the Session..... | 42 00 |
| For Weekly Appeal for the Session | 69 00 |
| For Weekly Independent for the Session | 75 00 |
| For Weekly Golden Era for the Session..... | 111 00 |
| | \$477 00 |
| For Spirit of the Times..... | 114 00 |
| James Anthony & Co., for Weekly Union for the Session..... | 471 00 |
| A. W. Bishop, Red Bluff Independent for the Session..... | 24 00 |
| Miss Lisle Lester, Pacific Monthly for the Session..... | 3 00 |
| James Anthony & Co., for Daily Union from December 7, 1863, to January 2, 1864, inclusive..... | 158 00 |
| James L. English, rent of one room for one month..... | 20 00 |
| Hooker & Co., two pairs shears..... | 4 00 |
| Alphonse Dennery, & Bro. for crockery..... | 39 00 |
| Philip Groves, for kindling wood and sundry articles of hard- ware..... | 25 00 |
| Kelly, Mott & Co., tin and hardware..... | 5 00 |
| Justin Gates & Bros., one gallon alcohol..... | 1 50 |
| Treadwell & Co., one axe..... | 2 00 |
| Dale & Co., one large willow basket..... | 3 10 |

| To whom due. | Amount. |
|---|---------|
| Daniel W. Clark, one two-light slide pendant, gas and gas fitter..... | \$11 00 |
| Hardy & Hall, one and one half yards moreen..... | 1 25 |

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly, as follows :

In favor of George I. Lytle, for four hundred and seventy-seven dollars ;

In favor of the Spirit of the Times, for one hundred and fourteen dollars ;

In favor of James Anthony & Co., for six hundred and twenty-nine dollars ;

In favor of A. W. Bishop, for twenty-four dollars ;

In favor of Miss Lisle Lester, for three dollars ;

In favor of James L. English, for twenty dollars ;

In favor of Hooker & Co., for four dollars ;

In favor of Alphonse Dennery & Co., for thirty-nine dollars ;

In favor of Philip Groves, for twenty-five dollars ;

In favor of Kelly, Mott & Co., for five dollars ;

In favor of Justin Gates & Bros., for one dollar and fifty cents ;

In favor of Treadwell & Co., for two dollars ;

In favor of Dale & Co., for three dollars ;

In favor of Daniel W. Clark, for eleven dollars ;

In favor of Hardy, Hall & Co., for one dollar and twenty-five cents.

CHAPPELL, Chairman.

* Adopted.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 2, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two, and to an Act supplementary to and amendatory of said Act, approved March twenty-eighth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

MR. SPEAKER :—The Committee on Military Affairs, to whom was referred Assembly concurrent resolution No. 14, concerning the monitor Comanche, beg leave to report the same back, without recommendation ;

Also, Assembly concurrent resolution No. 18, on the same subject, without recommendation, and ask to be discharged from the further consideration of the subject matter therein contained.

WOOD, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Martin moved to suspend the rules and take from unfinished business the resolution offered by him yesterday, relative to allowing the Committee on Military Affairs to take testimony in San Francisco relative to the Comanche.

On which, Messrs. Martin, Smith of Nevada, and Beaman, demanded the ayes and noes, and the motion was lost, by the following vote :

AYES—Messrs. Boulware, Castro, Dow, Dyer, Green, Hubbard. Langdon, Martin, Parker, Perley, Pratt, Rhoads, Smith of Nevada. Snyder, Sumner, Tukey, Walker of Alameda, Weston, Winchester, and Wood—20.

NOES—Messrs. Beaman, Brown of Amador, Campbell of El Dorado, Chappell, Clark, Clayton, Devoe, Erkson, Fraser, Hittell, Hoag, Hirst, Jenison, Johnson, Littlefield, Lux, Perrin, Personette, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Sonoma, Teare, Van Leuven, Van Schaick, Walker of Fresno, Wason, Wilcox, and Wright—29.

Messrs. Tukey, Pratt, Devoe, Rhoads, and Wilcox, who were absent on the day of the adoption of the patriotic resolutions introduced by Mr. Campbell of San Francisco, asked and obtained leave to be recorded as voting affirmatively thereon.

Mr. Langdon introduced a bill for an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty.

Read first and second times, and referred to the Committee on Elections.

GENERAL FILE.

Assembly bill No. 20, an Act authorizing the Controller to draw his warrants upon the Treasurer for audited claims upon the Military Fund—reported with Senate substitute, substitute adopted, read first and second times, rules suspended, read third time, and passed.

Assembly bill No. 53, an Act making appropriation for a deficiency in the appropriations made for the Fourteenth Fiscal Year, ending on the thirtieth of June, eighteen hundred and sixty-three—considered in Committee of the Whole, (Mr. Hittell in the Chair.)

IN ASSEMBLY.

Reported with a recommendation that the bill be recommitted to Committee on Ways and Means, and the House so ordered.

Senate bill No. 68, an Act regulating payments of money into the Treasury of the County of Sierra—read third time, and passed.

Senate bill No. 56, an Act to amend an Act entitled an Act authorizing the Board of Supervisors of Sierra County to levy certain taxes for county purposes, approved March thirteenth, eighteen hundred and sixty—read third time, and passed.

Senate bill No. 83, an Act concerning the Calaveras Mining Company—read third time, and passed.

Assembly bill No. 85, an Act for the relief of William B. Latham, Jr.,—considered in Committee of the Whole, (Mr. Wright in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 19, an Act to provide for a turnpike road commencing at the junction of the Big Tree and Amador and Sierra Wagon Roads, in Amador County, and running thence through Carson Cañon to Woodford's Station, at the eastern terminus of Carson Cañon—laid on the table.

Assembly bill No. 28, an Act granting the right of way to construct a plank and turnpike road from a point in Hope Valley, through Carson Cañon, to the eastern terminus of said cañon—laid on the table.

Senate bill No. 25, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—amendment adopted, read third time, and passed.

Assembly bill No. 30, an Act to amend an Act entitled an Act to provide for the maintenance and supervision of Common Schools, approved April sixth, eighteen hundred and sixty three—indefinitely postponed.

Senate bill No. 64, an Act entitled an Act to confirm the election of Boards of Supervisors in the several counties of this State—ordered read third time.

Assembly bill No. 81, an Act to provide for the payment of the claim of H. H. Bancroft & Company—considered in Committee of the Whole, (Mr. Wright in the Chair)

IN ASSEMBLY.

Reported and recommended, and ordered engrossed.

Assembly bill No. 121, an Act to reduce the penalty of the official bond of the Sheriff of Yuba County—ordered engrossed, and read third time.

The rules suspended, and Mr. Buffum allowed to offer the following resolution :

Resolved, That when this House adjourns it adjourns to meet on Tuesday, the nineteenth.

Lost.

Assembly bill No. 131, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one—made special order for Friday, January twenty-second, at twelve o'clock M.

Assembly bill No. 137, an Act supplemental to an Act for the education and care of the indigent Deaf, Dumb, and Blind, approved April, eighteen hundred and sixty, and also to an Act supplemental thereto, approved March twenty-ninth, eighteen hundred and sixty-one—made special order for Thursday, January twenty-first, at twelve o'clock M., and ordered printed.

Mr. Scott of Siskiyou had leave to offer the following resolution:

Resolve, That the resolution passed January fourteenth, eighteen hundred and sixty-four, authorizing the Committee on Military Affairs to appoint a sub-committee of three to visit San Francisco, and inquire into the condition of the ironclad Comanche, is hereby rescinded.

Adopted.

Mr. Dow demanded the previous question.

Demand sustained.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Winchester, Smith of Nevada, and Dow, and the resolution adopted, by the following vote :

AYES—Messrs. Beaman, Boulware, Brown of Amador, Chappell, Clark, Devoe, Dow, Erkson, Fraser, Hittell, Hubbard, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Perley, Perrin, Personette, Pratt, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Sonoma, Snyder, Teare, Van Leuven, Van Schaick, Walker of Fresno, Wason, Weston, Wilcox, Wiley, Wood, and Wright—37.

NOES—Messrs. Brown of Tulare, Dyer, Martin, Parker, Rhoads, Smith of Nevada, and Winchester—7.

On motion of Mr. Martin, the Committee on Military Affairs were discharged from further consideration of Assembly concurrent resolutions Nos. 14 and 18, concerning the submerged Comanche, in accordance with the request of the committee.

The rules being suspended, the report of the Committee on Military Affairs was taken up, and the resolutions above referred to indefinitely postponed.

The House indefinitely postponed the resolution offered by Mr. Martin, authorizing a sub-committee to administer oaths and affirmations in San Francisco, relative to the condition of the Aquila.

On motion of Mr. Wood, at one o'clock and thirty-four minutes, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 18th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted to Messrs. Clayton, Wood, Sumner, Lynch, Watson, Hill, Pratt, and Alley, for one day, each.

Journal of yesterday read and approved.

Mr. Boulware presented a petition of D. H. Apperson and others, praying the passage of a law requiring a new oath of public officers.

Referred to the Judiciary Committee.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 85, an Act for the relief of William B. Latbam, Jr. ;

Also, Assembly bill No. 107, an Act to authorize P. K. Austin and his

associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect toll for travel thereon.

DYER, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wilcox, for an Act imposing further duties upon the Board of Supervisors of the County of Mariposa.

Read first and second times.

On a motion to suspend the rules, consider the bill engrossed, read third time, and passed, the ayes and noes were demanded, by Messrs. Walker of Fresno, Brown of Tulare, and Hoag, and the motion prevailed, by the following vote:

AYES—Messrs. Beaman, Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Castro, Chappell, Clark, Devoe, Dow, Dyer, Erkson, Fraser, Hittell, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perley, Perrin, Personette, Redfield, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Weston, Wilcox, Wilsey, Winchester, and Wright—45.

NOES—Messrs. Smith of Sonoma, and Walker of Fresno—2.

By Mr. Wilcox, for an Act concerning roads and highways.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Hittell, for an Act to legalize primary elections.

Read first and second times, and referred to the Committee on Elections.

GENERAL FILE.

Assembly bill No. 2, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two, and to an Act supplementary to and amendatory of said Act, approved March twenty-eighth, eighteen hundred and sixty-three—read third time, and passed.

Mr. Walker of Alameda gave notice of a motion to reconsider.

Mr. Hittell moved to postpone for the day the further consideration of the General File.

The motion was adopted.

There being no further business, on motion of Mr. Martin, at eleven o'clock and thirty-six minutes A. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Tuesday, January 19th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted to Messrs Alley, Mebius, Lynch, Green, and Bowman for one day each, and to Mr. Hubbard indefinite leave.

Messrs. Wiley, Rule, and Johnson, absent at the time of passage, asked and obtained leave to be recorded as voting affirmatively on the patriotic resolutions introduced by Mr. Campbell of San Francisco.

Mr. Hill presented a petition of citizens of Santa Barbara, asking an appropriation for the Orphan Asylum in that city.

Referred to Committee on Ways and Means.

REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 74, an Act supplemental to and amendatory of an Act entitled an Act providing for the confinement of prisoners of the United States, approved February fourth, eighteen hundred and fifty-six;

Also, Assembly bill No. 98, an Act to re-district the County of Santa Clara, and to provide for the election of Supervisors;

And this day, January nineteenth, eighteen hundred and sixty-four, presented the same to the Governor for his approval.

Also, have examined, and found correctly enrolled, Assembly concurrent resolution No. 16, relative to printing nine hundred and sixty copies of Governor Low's message of January eleventh, eighteen hundred and sixty-four;

And this nineteenth day of January, eighteen hundred and sixty-four, have handed the same to the Secretary of State.

REDFIELD, Chairman.

Mr. Snyder, Chairman of the Committee on Mines and Mining Interests, made a report relating to the State Geologist, and the progress of the Geological Survey of the State.

Ordered printed.

[For report, see Appendix.]

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 81, an Act to provide for the payment of the claim of H. H. Bancroft & Co.;

Also, Assembly bill No. 121, an Act to reduce the penalty of the official bond of the Sheriff of Yuba County.

DYER, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

Mr. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 130, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in Amador County, have had the same under consideration, and report it back, with the recommendation that it pass.

LUDLOW, Chairman.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 19th, 1864. }

Mr. SPEAKER :—The Senate, on the fifteenth instant, passed Assembly bill No. 125, an Act extending the time for assessing real and personal property in the County of El Dorado ;

Also, on the sixteenth instant, passed substitute for Senate bill No. 50, an Act to exempt the County of Sutter from the Act concerning estrays ;

Also, passed Senate bill No. 90, an Act to define and locate the seat of justice of Mono County ;

Also, passed Senate bill No. 107, an Act to amend an Act entitled an Act to incorporate the Town of Grass Valley.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Substitute for Senate bill No. 50, above reported, read first and second times, and referred to the Committee on Agriculture.

Senate bill No. 90, above reported, read first and second times, and referred to the Tuolumne and Mono delegation.

Senate bill No. 107, above reported, read first and second times, and referred to the Nevada delegation.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Weston, for an Act concerning roads and highways in the County of Sierra.

By Mr. Hirst, for an Act to authorize the issuance of a duplicate war bond and certificate to Robert M. Irving.

By Mr. Owen, for an Act granting additional powers to the Common Council of the City of San José.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Chappell, for an Act to transfer certain funds.

Read first and second times, and referred to the Committee on Public Expenditures and Accounts.

By Mr. Brown of Amador, for an Act to create the County of Alpine, to define its boundaries, and to provide for its organization.

Read first and second times, and referred to the Amador, Calaveras, El Dorado, and Mono delegations.

By Mr. Hittell, for an Act to perfect the title to the Van Ness lands.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Sepulveda, for an Act to authorize the Administrator of the estate of Maria Ygnacia Amador de Alvarado, deceased, to sell and convey real estate.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Fraser, for an Act concerning dogs.

Read first and second times, and referred to the Committee on Counties and County Boundaries.

By Mr. Cherry, for an Act for the relief of Mary Bowie.

Read first and second times, and referred to the Committee on Claims.

GENERAL FILE.

Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect toll for travel thereon—read third time, and passed.

Assembly bill No. 27, an Act for the construction of a bridge across the Mokelumne River—amendments adopted, and ordered engrossed.

Assembly bill No. 38, an Act to amend an Act entitled an Act to amend section five hundred and nine of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and sixty-two, as amended by an Act approved April twenty-fifth, eighteen hundred and sixty-three—reported with a substitute, substitute read first and second times, and ordered to General File with the original bill.

Assembly bill No. 43, an Act amendatory of and supplementary to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty—reported with substitute, substitute adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 53, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, passed April twentieth, eighteen hundred and sixty-three—amendment adopted, and ordered to third reading.

Mr. Martin raised a point of order, that no vote of the House was necessary to order a bill to be read a third time.

The Speaker decided the point of order not well taken.

Mr. Martin appealed from the decision.

The question being put, by viva voce vote, the decision of the Chair was sustained and declared the judgment of the House.

Assembly bill No. 79, an Act for the completion of the State Capitol, and to provide for the payment of the same—made special order for Thursday, January twenty-eighth, at twelve o'clock m.

Assembly bill No. 118, an Act to repeal Chapter One Hundred and Three of the laws of eighteen hundred and fifty-eight—indefinitely postponed.

Assembly bill No. 127, an Act amendatory of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 128, an Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 64, an Act entitled an Act to confirm the election of Boards of Supervisors in the several counties of this State—recommitted to the Judiciary Committee, with special instructions.

Mr. Wiley moved to print Assembly bill No. 149, relating to title to Van Ness lands.

Mr. Wright moved to lay the motion on the table.

Carried.

Mr. Walker of Alameda moved to reconsider the vote by which the House passed Assembly bill No. 2, relative to a railroad in the City and County of San Francisco, and before any action was taken, had leave to withdraw the motion.

On motion of Mr. Winchester, at one o'clock P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, January 20th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted to Messrs. Alley and Dodson for one day, and to Messrs. Lynch and Hoag indefinite leave.

Journal of yesterday read and approved.

Mr. Chappell presented a petition of Peter T. Terbush and others, purchasers of State School Lands, praying for the passage of a law extending the time for payment thereof.

Referred to the Committee on Education, with instructions to report by a general bill.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred Assembly bill No. 53, an Act making appropriation for a deficiency in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three, have had the same under consideration, and beg leave to report it back and recommend its passage;

Also, Assembly bill No. 75, an Act to provide for the disposition of

moneys collected under an Act entitled an Act concerning passengers arriving in the ports of the State of California, approved May twelfth, eighteen hundred and fifty-two, and Acts amendatory thereof and supplemental thereto, having been amended, your committee recommend its passage as amended.

ALLEN, Chairman.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report :

Mr. SPEAKER :—The Committee on Public Morals, to whom was referred Assembly bill No. 103, an Act to prohibit gaming, have considered the same, and report it back to the House, with amendments, and recommend its passage as amended.

WALKER of Alameda, Chairman.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report :

Mr. SPEAKER :—The Committee on Public Morals, to whom was referred Assembly bill No. 102, an Act supplementary to an Act to prohibit noisy and barbarous amusements on the Christian Sabbath, have considered the same, and respectfully report it back to the House, with a recommendation that it do not pass.

WALKER of Alameda, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims, to whom was referred Assembly bill No. 100, an Act for the relief of Robert Glass, report that they have had the same under consideration, and recommend that it be indefinitely postponed.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 132, an Act supplementary to an Act entitled an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April eighth, eighteen hundred and sixty-three, and report it back to the House, and recommend its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 62, an Act for the relief of James Devoe, Jr., and others, find that the parties therein named have their relief under section three of an Act entitled an Act for the relief of purchasers of lands from the State of California, approved April eighth, eighteen hundred

and fifty-nine, and beg leave to report it back to the House, with a recommendation that it do not pass.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims have had under consideration Senate bill No. 84, an Act to appropriate money to pay the claim of F. F. Fargo, and beg leave to report it back to the House, and recommend its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Personette, Chairman of the Committee on Mileage, made the following report :

MR. SPEAKER :—The Committee on Mileage present the following report of mileage due the members of the Committee on Mines and Mining Interests for visiting the office of the State Geologist, at San Francisco, while on committee duty :

| Names. | Miles. | Amount. |
|----------------------|--------|---------|
| Snyder..... | 234 | \$46 80 |
| Clark | 234 | 46 80 |
| Alley | 234 | 46 80 |
| Dow..... | 234 | 46 80 |
| Smith of Nevada..... | 234 | 46 80 |
| Littlefield | 234 | 46 80 |
| Sumner | 234 | 46 80 |

Also, mileage due the members of the Committee on State Prison, for visiting the State Prison, at San Quentin, on committee duty :

| Names. | Miles. | Amount. |
|---------------|--------|---------|
| Tukey..... | 260 | \$52 00 |
| Wiley..... | 260 | 52 00 |
| Pratt..... | 260 | 52 00 |
| Rule | 260 | 52 00 |
| Lynch..... | 260 | 52 00 |
| Johnson | 260 | 52 00 |
| Devoe..... | 260 | 52 00 |

PERSONETTE, Chairman.

Adopted.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 43, an Act supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

DYER, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

Mr. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 145, an Act concerning roads and highways, beg leave to report that they have had the same under consideration, and report it back, with the recommendation that it pass.

LUDLOW, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

Mr. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Senate bill No. 36, an Act to extend the time for completing the turnpike road from Doshe's Store, in Ione Valley, to the Town of Jackson, in Amador County, beg leave to report that they have had said bill under consideration, and find that about two miles and a half of said turnpike road is built in such a location that it is necessary for all travelers coming from the westward of the Village of Ione to travel on it, or go from one to three miles out of their way, and as it is a large agricultural valley, and Ione the centre, it works a great hardship upon a large portion of the inhabitants in and around the valley ; therefore, your committee report the bill back with a proviso, and recommend that the bill pass as amended.

LUDLOW, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

Mr. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 140, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, A. D. eighteen hundred and fifty-one, and Acts amendatory thereof, report the same back, with a recommendation of its indefinite postponement ;

Also, Assembly bill No. 136, an Act concerning attachments in civil cases, and report the same back, with a recommendation of its indefinite postponement ;

Also, Assembly bill No. 94, an Act to change the name of George Andrews Hatch to George Andrews Pavey, and confirm his adoption by William Henry Pavey, report the same back with an amendment, and recommend the passage of the same as amended ;

Also, Assembly bill No. 135, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, A. D. eighteen hundred and fifty, and report the same back, with a recommendation of its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Perrin made the following report :

Mr. SPEAKER:—The Tuolumne and Mono delegation, to whom was referred Senate bill No. 90, an Act to define and locate the seat of justice for Mono County, beg leave to report the same back, with the recommendation that it pass.

PERRIN, for Delegation.

Mr. Speaker presented the annual report of the Trustees of the Santa Barbara Roman Catholic Orphan Asylum.

Mr. Speaker also presented a petition from the Sisters of Charity of the City of Santa Barbara, for an appropriation.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Martin, that portion of the report of the Surveyor-General relative to the eastern boundary of the State was referred to a special committee of five.

On motion of Mr. Tukey, the petition of George Nelson was recommended to the Committee on Claims.

Mr. Allen offered a concurrent resolution allowing H. E. Hall, County Clerk of San Joaquin, four months leave of absence from the State.

Adopted.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Campbell of San Francisco, for an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by the said Board.

By Mr. McColliam, for an Act concerning the office of County Clerk, Sheriff, and County Recorder, of the City and County of San Francisco.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hirst, for an Act to authorize the issuance of a duplicate bond and certificate to Robert M. Irving.

Read first and second times, and referred to the Committee on Claims.

By Mr. Tukey, for an Act to pay for copying done for the Assembly by J. M. Anderson during the session of eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Claims.

By Mr. Hartsough, for an Act to fix the compensation of the Board of Supervisors of Yolo County.

Read first and second times, and ordered to General File.

GENERAL FILE.

Senate bill No. 53, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, passed April twentieth, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 81, an Act to provide for the payment of the claim of H. H. Bancroft & Company—read third time, and passed.

Assembly bill No. 121, an Act to reduce the penalty of the official bond of the Sheriff of Yuba County—read third time, and passed.

Assembly bill No. 130, an Act to grant the right to construct a turn-pike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in Amador County—ordered engrossed, and read third time.

Assembly bill No. 153, an Act to regulate the revenue from civil actions in the Courts of justice in the counties of this State—ordered engrossed and read third time.

The Speaker announced the following Special Committee on the Surveyor-General's report: Messrs. Martin, Tukey, Perrin, Clark, and Winchester.

At twelve o'clock and ten minutes P. M., on motion of Mr. Wright, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 21st, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Allen asked and obtained leave to be recorded as present at roll call.

PETITIONS.

Mr. Van Schaick presented a petition of citizens of San Ysidro, praying the levy of a special School tax

Referred to the Committee on Education.

Mr. Wason presented a petition of citizens of Solano County, praying the levy of a special School tax.

Referred to the Committee on Education.

Mr. Watson presented a petition of H. Whittell, relative to certain bonds issued by the City of Sacramento.

Referred to the Committee on Claims.

REPORTS.

Mr. Wright, Chairman of the Committee on Elections, made the following report:

MR. SPEAKER:—The Committee on Elections, to whom was referred Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress, have had the same under consideration, and beg leave to report the bill back with amendments, and recommend its passage as amended;

Also, Assembly bill No. 143, an Act to amend an Act entitled an Act to regulate elections, and recommend its indefinite postponement ;

Also, Assembly bill No. 146, an Act to legalize primary elections, and recommend its reference to the Judiciary Committee.

WRIGHT, Chairman.

Assembly bill No. 146, above reported, was referred as recommended.

Mr. Chappelle, Chairman of the Committee on Public Expenditures, made the following report :

MR. SPEAKER :—Your Committee on Public Expenditures, to whom was referred Assembly bill No. 147, an Act to transfer certain funds, beg leave to report the same back, and recommend its passage.

CHAPPELL, Chairman.

Mr. Boulware, Chairman of the Committee on Agriculture, made the following report :

MR. SPEAKER :—The Committee on Agriculture, to whom was referred Senate bill No. 50, have considered the same, and respectfully report the same back to the House, with a recommendation that the same pass.

BOULWARE, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

MR. SPEAKER :—Your Committee on Ways and Means, to whom was referred Assembly bill No. 78, an Act to extend the time for the collection of delinquent taxes in the County of Amador, have had the same under consideration, and ask leave to report the same back, with the recommendation that it be indefinitely postponed ;

Your committee have also considered Assembly bill No. 34, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and ask leave to report the same back, with a recommendation that it pass.

ALLEN, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 26, an Act to amend an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty, have had the same under consideration, and report it back, with recommendation of its indefinite postponement ;

Also, Assembly bill No. 111, an Act to repeal section twenty of an Act entitled an Act concerning Coroners, approved April nineteenth, eighteen hundred and fifty, and report the same back, with recommendation of its indefinite postponement ;

Also, Assembly bill No. 123, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and

report the same back with an amendment, and recommend the passage of the same as amended.

CAMPBELL of San Francisco, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 27, an Act for the construction of a bridge across the Mokelumne River at Benson's Ferry ;

Also, Assembly bill No. 153, an Act to regulate the revenue from civil actions in the Courts of record in the counties of this State.

DYER, Chairman.

Mr. Wason made the following report :

Mr. SPEAKER :—Your committee, to whom was referred Assembly bill No. 116, an Act entitled an Act amendatory of and supplemental to an Act to fund the debt of Solano County, and to provide for the payment thereof, passed April twenty-fourth, eighteen hundred and fifty-four, report the same back, and recommend its passage.

WASON, for Committee.

The rules were suspended, and the bill above reported was taken up, the rules again suspended, the bill considered engrossed, read third time, and passed.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Hill, the report and accompanying petition of the Sisters of Charity of Santa Barbara were referred to the Committee on Ways and Means.

Mr. Personette offered the following resolution :

Resolved, By the Assembly, that the Controller of State is hereby required to draw his warrant on the State Treasurer, payable out of the Contingent Fund of the Assembly, in favor of the following named members, being the amount due them for mileage in visiting the various public institutions in the State :

In favor of A. C. Buffum, for eighty-seven dollars and twenty cents ;
 In favor of R. S. Weston, for eighty-seven dollars and twenty cents ;
 In favor of N. Gray, for eighty-seven dollars and twenty cents ;
 In favor of L. Hubbard, for sixty-nine dollars and twenty cents ;
 In favor of W. B. H. Dodson, for sixty-four dollars and eighty cents ;
 In favor of F. Tukey, for fifty-two dollars ;
 In favor of A. Wiley, for fifty-two dollars ;
 In favor of J. D. Pratt, for fifty-two dollars ;
 In favor of J. W. Rule, for fifty-two dollars ;
 In favor of J. Lynch, for fifty-two dollars ;
 In favor of S. Johnson, for fifty-two dollars ;
 In favor of A. Devoe, for fifty-two dollars ;
 In favor of E. H. Snyder, for forty-six dollars and eighty cents ;
 In favor of R. A. Clark, for forty-six dollars and eighty cents ;
 In favor of S. H. Alley, for forty-six dollars and eighty cents ;
 In favor of F. A. Dow, for forty-six dollars and eighty cents ;
 In favor of A. A. Smith, for forty-six dollars and eighty cents ;

In favor of S. L. Littlefield, for forty-six dollars and eighty cents;
 In favor of G. S. Sumner, for forty-six dollars and eighty cents.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
 January 21st, 1864. }

Mr. SPEAKER :—The Senate yesterday amended and adopted, as amended, Assembly concurrent resolution No. 13, indorsing all the measures of the National Administration to suppress the rebellion, returning thanks to the army and navy, and re-affirming the unswerving loyalty of the State of California.

A. W. BISHOP,
 Assistant Secretary.

The amendments to Assembly concurrent resolution No. 13, above reported, were considered seriatim in Committee of the Whole, (Mr. Owen in the Chair.)

IN ASSEMBLY.

The committee rose, and reported a recommendation that the House do not concur in any of the Senate amendments excepting that to the eleventh resolution.

On concurring in the Senate amendments down to the eleventh resolution, Messrs. Devoe, Watson, and Tukey, demanded the ayes and noes, and the House refused to concur, by the following vote :

AYES—Messrs. Dickinson, and Kendrick—2.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hartsough, Hill, Hittell, Jenison, Johnson, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, Wright, and Mr. Speaker—67.

On concurring in the amendment to the eleventh resolution, the ayes and noes were demanded, by Messrs. Wiley, Martin, and Tukey, and the House so agreed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hartsough, Hill, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Van

Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, Wright, and Mr Speaker—61.

NOES—Messrs. Brown of Tulare, Dickinson, Kendrick, Kewen, Sepulveda, and Walker of Fresno—6.

The special order of the day, Assembly bill No. 137, relative to indigent Deaf, Dumb, and Blind, was continued, and made the special order for Tuesday, January twenty-sixth, at twelve o'clock M.

Mr. Badlam gave notice of a bill for an Act entitled an Act amendatory of and supplementary to an Act concerning the Controller of State, passed January nineteenth, eighteen hundred and fifty.

On motion of Mr. Rhoads, at one o'clock and twenty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 22d, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted Messrs Clayton and Dow for two days, each, and to Mr. Rhoads indefinite leave.

Mr. Martin had leave to be recorded as present at roll call.

Mr. Speaker presented a communication from the Superior of the Roman Catholic Orphan Asylum at San Rafael.

Referred to the Committee on Ways and Means.

REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 3, an Act to grant to Ruel Stickney the right to construct a bridge over Big River;

Also, Senate substitute for Assembly bill No. 20, an Act to appropriate certain moneys out of the Military Fund;

Also, Assembly bill No. 125, an Act for extending the time for assessing real and personal property in the County of El Dorado, for the fiscal year ending March first, eighteen hundred and sixty-four.

And on this twenty-second day of January, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Boulware, Chairman of the Committee on Agriculture, made the following report:

MR. SPEAKER:—The Committee on Agriculture, to whom was referred

Assembly bill No. 45, an Act for the better protection of the agricultural interests of this State, and the more effectual prevention of the trespassing of animals upon private property, beg leave to report the same back to the House with a substitute, and recommend the passage of the substitute.

BOULWARE, Chairman.

Mr. Wilcox, Chairman of the Committee on Public Lands, made the following report :

MR. SPEAKER :—Your Committee on Public Lands, to whom was referred Assembly concurrent resolution No. 9, concerning the disposition of the lands of Nome Lackee Indian Reservation, have had the same under consideration, and report it back to the House, with the recommendation that it pass.

WILCOX, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 130, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in Amador County.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 64, an Act entitled an Act to confirm the election of Boards of Supervisors in the several counties of this State, report the same back, with an amendment, and recommend the passage of the same as amended.

CAMPBELL of San Francisco, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 21st, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 74, an Act supplemental to and amendatory of an Act entitled an Act providing for the confinement of prisoners of the United States, approved February fourth, eighteen hundred and fifty-six ;

Also, Assembly bill No. 98, an Act to re-district the County of Santa Clara and provide for the election of Supervisors.

FRED'K F. LOW,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Dickinson offered a concurrent resolution granting leave of absence to John W. Bost, County Clerk of Merced County.

Adopted.

Mr. Martin offered the following resolution :

Resolved, That the Committee on Printing are hereby authorized to investigate and report as to the expediency and cost of printing the General File for daily distribution to the members of the Legislature.

Adopted.

On motion of Mr. Sepulveda, Assembly bill No. 148 was recalled from the Judiciary Committee and referred to the delegation from Los Angeles.

Senate bill No. 36, concerning a turnpike road in Amador County, was recommitted to the Committee on Roads and Highways.

Assembly bill No. 59, an Act to divide the State into Congressional Districts and fix the time to elect Representatives to Congress, was made the special order of the day for Thursday, January twenty-eighth, at twelve o'clock m., and ordered printed as amended.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 22d, 1864. }

Mr. SPEAKER :—The Senate, on yesterday, concurred in Assembly concurrent resolution No. 19, granting E. Hall, County Clerk of San Joaquin County, leave of absence ;

Also, on same day, passed Assembly bill No. 116, an Act amendatory of and supplemental to an Act to fund the debt of Solano County ;

Also, amended and passed Assembly bill No. 144, an Act imposing further duties on the Board of Supervisors of Mariposa County ;

Also, Assembly bill No. 64, an Act to amend an Act concerning roads and highways in the Counties of Shasta and Trinity ;

Also, Senate bill No. 71, an Act to define and limit the compensation of officers and reduce public expenses in San Mateo County ;

Also, on the same day, the Senate refused to concur in Assembly amendments to Senate bill No. 53, an Act to amend an Act concerning Courts of justice, passed April twentieth, eighteen hundred and sixty-three, and ask that the Assembly do recede from said amendments ;

Also, on the sixteenth instant, passed Senate bill No. 76, an Act to provide for the time of holding the several Courts of record in the Tenth Judicial District.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendments to Assembly bill No. 144, above reported.

Senate bill No. 76, above reported, read first and second times, and referred to the delegations from the Tenth Judicial District.

The House refused to recede from its amendment to Senate bill No. 53, above reported, in which the Senate did not concur, and ordered a Committee of Free Conference.

Senate bill No. 71, above reported, read first and second times, and referred to the San Mateo delegation.

Assembly bill No. 131, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, (the special order of the day,) was continued till Wednesday, January twenty-seventh, at twelve o'clock M.

The Speaker appointed Messrs. Teare, Campbell of San Francisco, and Wright, a Committee of Free Conference on Senate bill No. 53.

Mr. Weston gave notice of a bill for an Act to condemn the property in certain streets in the City of Stockton for Asylum purposes.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wilcox, for an Act to regulate the nomination of candidates for public offices.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Campbell of San Francisco, for an Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of this State, passed March sixth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Campbell of San Francisco, for an Act to confer the powers of Commissioners of Deeds, for the time being, upon certain officers of the army of the United States.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Badlam, for an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Campbell of San Francisco, for an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriations of money by said Board.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Boulware, for an Act to amend an Act amending section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Tukey, for an Act amendatory and supplementary to an Act entitled an Act to more clearly define the boundaries of Sacramento County.

Read first and second times, and referred to the Sacramento delegation.

By Mr. Wiley, for an Act amendatory of and supplemental to an Act entitled an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Military Affairs.

GENERAL FILE.

Assembly bill No. 153, an Act to regulate the revenue from civil actions in the Courts of record in the counties of this State—read third time, and passed.

Assembly bill No. 53, an Act making appropriation for a deficiency in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three—considered in Committee of the Whole, (Mr. Owen in the Chair,) and amended.

IN ASSEMBLY.

Reported and recommended, ordered engrossed and read third time.

Assembly bill No. 62, an Act for the relief of the parties therein named—indefinitely postponed.

Assembly bill No. 75, an Act to provide for the disposition of moneys collected under the Act entitled an Act concerning passengers arriving in the ports of the State of California, approved May twelfth, eighteen hundred and fifty-two, and Acts amendatory thereof and supplemental thereto.

Mr. Van Schaick moved to indefinitely postpone.

Lost.

Sundry amendments proposed by Messrs. Cherry, Wilcox, Littlefield, and Dutton, were not adopted, and the bill was finally ordered engrossed and read third time.

The rules were suspended, and Assembly bill No. 45, relating to agricultural interests, and the substitute therefor recommended by the Committee on Agriculture, were taken up and ordered to top of General File for Wednesday, January twenty-seventh, and the substitute ordered printed.

GENERAL FILE RESUMED.

Senate bill No. 84, an Act to appropriate money to pay the claim of F. F. Fargo—considered in Committee of the Whole, (Mr. Owen in the Chair.)

IN ASSEMBLY.

Reported and recommended, and read third time, and passed.

Senate bill No. 90, an Act to define and locate the seat of justice of Mono County—read third time, and passed.

Assembly bill No. 94, an Act to change the name of George Andrews Hatch to George Andrews Pavey, and confirm his adoption by William Henry Pavey—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 103, an Act to prohibit gaming—made special order for Thursday, January twenty-eighth, at one o'clock p. m.

Assembly bill No. 132, an Act supplementary to an Act entitled an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second,

eighteen hundred and fifty-seven, approved April eighth, eighteen hundred and sixty-three—ordered engrossed and read third time.

Assembly bill No. 100, an Act for the relief of Robert Glass—referred to Tulare delegation.

Assembly bill No. 102, an Act supplementary to an Act to prohibit noisy and barbarous amusements on the Christian Sabbath—recommitted to Committee on Public Morals.

Assembly bill No. 135, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty—indefinitely postponed.

Assembly bill No. 136, an Act concerning attachments in civil cases—indefinitely postponed.

Assembly bill No. 141, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof—indefinitely postponed.

Senate bill No. 26, an Act to amend an Act entitled an Act defining the time for commencing civil actions—passed April twenty-second, eighteen hundred and fifty—indefinitely postponed.

Assembly bill No. 145, an Act concerning roads and highways—ordered engrossed and read third time.

Assembly bill No. 156, an Act to fix the compensation of the Board of Supervisors of Yolo County—ordered engrossed and read third time.

Assembly bill No. 27, an Act for the construction of a bridge across the Mokelumne River, at Benson's Ferry—read third time, and passed.

Senate bill No. 50, an Act to exempt the County of Sutter from the Act concerning estrays in certain counties in this State—read third time, and passed.

Assembly bill No. 34, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—ordered engrossed and read third time.

Assembly bill No 78, an Act to extend the time for the collection of delinquent taxes in the County of Amador—laid on the table.

Assembly bill No. 111, an Act to repeal section twenty of an Act entitled an Act concerning Coroners, approved April nineteenth, eighteen hundred and fifty—indefinitely postponed.

Assembly bill No. 143, an Act to amend an Act entitled an Act to regulate elections, passed March twenty-third, eighteen hundred and fifty—indefinitely postponed.

Assembly bill No. 147, an Act to transfer certain funds—ordered engrossed and read third time.

Assembly bill No. 123, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—amendments adopted, and ordered engrossed and read third time.

At one o'clock and forty minutes P. M., there being no further business, on motion of Mr. Beaman, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Saturday, January 23d, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 53, an Act making appropriation for a deficiency in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three ;

Also, Assembly bill No. 132, an Act supplementary to an Act entitled an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven, approved April eighth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Chappell, Chairman of the Committee on Public Expenditures and Accounts, made the following report :

MR. SPEAKER :—Your Committee on Public Expenditures and Accounts, having examined and found correct the following bills, beg leave to report the same, and respectfully recommend the adoption of the accompanying resolution :

| To whom due. | Amount. |
|---|---------|
| Contra Costa Gazette | \$2 00 |
| Calaveras Chronicle, for session | 12 00 |
| R. C. Scott, Agent for Yreka Journal, for session | 48 00 |
| F. Lux, Agent for American Flag, for session | 225 00 |
| Hiram Clark, for lumber | 3 50 |
| W. F. Knox, one month's room rent | 40 00 |
| George Rowland, for postage | 76 95 |
| Hooker & Co., for one eyelet machine | 3 50 |
| John Bruener & Co., for furniture | 99 00 |
| Owen & Cottle, for San José Mercury, for session | 12 00 |
| D. Hardy, for one month's rent for three rooms | 45 00 |
| San Francisco Monitor, for session | 18 00 |
| El Eco del Pacifico, for session | 6 00 |
| George Harris, for one month's room rent | 40 00 |

Resolved, That the Controller of State is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly, as follows:

In favor of Contra Costa Gazette, for two dollars;
 In favor of Calaveras Chronicle, for twelve dollars;
 In favor of R. C. Scott, for forty-eight dollars;
 In favor of F. Lux, for two hundred and twenty-five dollars;
 In favor of Hiram Clark, for three dollars and fifty cents;
 In favor of W. F. Knox, for forty dollars;
 In favor of George Rowland, for seventy-six dollars and ninety-five cents;
 In favor of Hooker & Co., for three dollars and fifty cents;
 In favor of John Bruener & Co., for ninety-nine dollars;
 In favor of Owen & Cottle, for twelve dollars;
 In favor of D. Hardy, for forty-five dollars;
 In favor of San Francisco Monitor, for eighteen dollars;
 In favor of El Eco del Pacifico, for six dollars;
 In favor of George Harris, for forty dollars.

CHAPPELL, Chairman.

Adopted.

Mr. Hubbard, Chairman of the Committee on Federal Relations, made the following report:

Mr. SPEAKER:—The Committee on Federal Relations, to whom was referred Assembly concurrent resolutions concerning Senator McDougall, have had the same under consideration, and beg leave to report the accompanying preamble and resolutions as a substitute, and recommend their passage.

HUBBARD, Chairman.

Mr. Scott of Alameda moved to suspend the rules and take up the resolutions above reported.

Lost.

Mr. Hubbard, Chairman of the Committee on Federal Relations, made the following report:

Mr. SPEAKER:—The Committee on Federal Relations, to whom was referred Assembly concurrent resolutions No. 5, relating to public good, have had the same under consideration, and beg leave to report them back without recommendation, resolutions of similar import having already passed the House.

HUBBARD, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 144, an Act imposing further duties on the Board of Supervisors of Mariposa County;

And this twenty-third day of January, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Badlam, from the Joint Committee on Printing, made the following report :

MR. SPEAKER :—Your Joint Committee on Printing, to whom was referred the resolution of inquiry in regard to printing the General File each day, for general distribution among the members, after carefully examining the same, report the following concurrent resolution :

Resolved, By the Assembly, the Senate concurring, that the Chief Clerk of the Assembly and the Secretary of the Senate be and are hereby authorized to have the General File of the Senate and Assembly printed every day, and the Sergeants-at-Arms are required to have the usual number distributed on the desks every morning.

BADLAM, for Committee.

Mr. Beaman made the following report :

MR. SPEAKER :—The delegations composing the Tenth Judicial District have had Senate bill No. 76 under consideration, and recommend its passage.

BEAMAN, for Delegations.

The rules were suspended, and the bill above reported was read third time, and passed.

Mr. Tukey made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred Assembly bill No. 163, an Act amendatory of and supplementary to an Act more clearly defining the boundaries of Sacramento County, report the same back without amendment, and recommend that it be referred to the Sacramento, Amador, and El Dorado delegations.

TUKEY,
WATSON,
BADLAM,
HUNT.

The bill above reported was referred in accordance with the above recommendation.

Mr. Green made the following report :

MR. SPEAKER :—The delegation from San Mateo, to whom was referred Senate bill No. 71, have had the same under consideration, and beg leave to report the same back, with the recommendation that it pass.

GREEN, for Delegation.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Scott of Alameda, the substitute for concurrent resolution relative to Senator McDougall was ordered printed, and made the special order for Friday, January twenty-ninth, at one o'clock P. M.

Mr. Wood offered the following resolution :

Resolved, That the Military Committee be and are hereby authorized to employ a Clerk for such a time as they may require his services, not to exceed one month, at the compensation now allowed by law.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 23d, 1864. }

Mr. SPEAKER:—The Senate yesterday passed Assembly bill No. 7, an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco;

Also, concurred in Assembly concurrent resolution No. 20, granting John W. Bost, County Clerk of Merced County, leave of absence;

Also, concurred in Senate concurrent resolution No. 20, relative to printing five hundred and sixty copies of report of the State Agricultural Society;

Also, yesterday, refused to recede from its amendments to Assembly concurrent resolution No. 13, indorsing the measures of the National Administration, and appointed as Committee of Free Conference on the part of the Senate, Senators Shafter, Hale, and Smith;

Also, this day, appointed Senators Burnell, Smith, and Crane, a Committee of Free Conference on Senate bill No. 53, an Act entitled an Act concerning Courts of justice of this State.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House ordered the appointment of a Committee of Free Conference on Assembly concurrent resolution No. 13, above reported, and the Speaker appointed Messrs. Wiley, Campbell of San Francisco, and Owen, on the part of the House.

The Assembly concurred in Senate concurrent resolution No. 20, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Weston, for an Act condemning parts of certain streets adjacent to the Insane Asylum, in the City of Stockton, for Asylum purposes.

Read first and second times, and referred to a special committee of five, composed of Messrs. Weston, Littlefield, Perley, Badlam, and Hubbard.

By Mr. Sumner, for an Act to authorize the Board of Supervisors of Butte County to loan certain money.

Read first and second times, and referred to the Butte delegation.

By Mr. Watson, for an Act to separate the office of Collector of Taxes from the office of Sheriff in Sacramento County.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly concurrent resolution No. 9, concerning disposition of lands of the Nome Lackee Reservation—amended, ordered engrossed, and read third time.

Senate bill No. 64, an Act entitled an Act to confirm the election of

Boards of Supervisors in the several counties of this State—amendment adopted, read third time, and passed.

Assembly bill No. 130, an Act to grant the right to construct a turn-pike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in Amador County—amended, read third time, and passed.

At twelve o'clock and fifteen minutes P. M. there being no further business, on motion of Mr. Wright, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, January 25th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence, for one day each, was granted to Messrs. Boulware, Pratt, Hittell, Hill, Wood, and Green, and to Mr. Castro indefinite leave.

Journal of Saturday last read and approved.

PETITIONS.

Mr. Scott of Alameda presented a petition of citizens of Alameda in favor of levying a special School tax.

Referred to the Committee on Education.

Mr. Buffum presented a petition of citizens of Butte County of like purport.

Referred to the Committee on Education.

Mr. Tukey presented a petition of citizens of Sacramento County of like purport.

Referred to the Committee on Education.

Mr. Walker of Alameda presented a petition of citizens of Alameda of like purport.

Referred to the Committee on Education.

Mr. Brown of Amador presented a petition of citizens of Amador of like purport.

Referred to the Committee on Education.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER :—The Committee on Engrossment have examined, and found correctly engrossed. Assembly bill No. 75, an Act to provide for the disposition of moneys collected under an Act entitled an Act concerning passengers arriving in the ports of the State of California, ap-

proved May twelfth, eighteen hundred and fifty-two, and Acts amendatory thereof and supplemental thereto;

Also, Assembly bill No. 94, an Act to change the name of George Andrews Hatch to George Andrews Pavey, and confirm his adoption by William Henry Pavey;

Also, Assembly bill No. 147, an Act to transfer certain funds;

Also, Assembly bill No. 156, an Act to fix the compensation of the Board of Supervisors of Yolo County;

Also, Assembly bill No. 123, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

DYER, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred Assembly bill No. 162, an Act to amend an Act amending section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three, have had the same under consideration, and ask leave to report it back with an amendment, and recommend its passage as amended.

ALLEN, Chairman.

Mr. Hubbard, Chairman of the Committee on Federal Relations, made the following report:

MR. SPEAKER:—The Committee on Federal Relations, to whom was referred Assembly bill No. 23, relating to fees and salaries of officers, have had the same under consideration, and beg leave to report the same back without recommendation;

Also, Assembly bill No. 24, an Act to amend an Act to provide revenue for the government of this State, passed May seventeenth, eighteen hundred and sixty-one, have had the same under consideration, and beg leave to report the same back without recommendation.

HUBBARD, Chairman.

Mr. Hubbard made the following report:

MR. SPEAKER:—The special committee, to whom was referred Assembly concurrent resolution No. 12, have had the same under consideration, and report that, while they agree in the general proposition contained in the resolution, they are of the opinion that even implied censure by the Legislature, without giving parties full opportunity to be heard, would not be consonant with strict justice; and as they fear the language of the preamble may be improperly construed, beg leave to submit the following resolution as a substitute, and recommend its adoption:

Resolved, That the elevation of disloyal persons to places of profit and trust, and the granting of emoluments to persons of known disloyalty, except in such cases where the circumstances justify the act, deserves and should receive the unqualified condemnation of all loyal men.

HUBBARD, for Committee.

Mr. Owen offered the following resolution :

Resolved, That the Committee on Education have leave to visit the State Normal School at such time during the present session of the Legislature as may suit their convenience

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 25th, 1864. }

Mr. SPEAKER :—The Senate, on the twenty-third instant, passed Assembly bill No. 88, an Act to fix the amount of the official bond of the Public Administrator of the County of El Dorado ;

Also, passed Assembly bill No. 95, an Act to amend an Act entitled an Act concerning certain salaries in the County of Santa Barbara ;

Also, on the 22d instant, passed Senate bill No. 130, an Act to provide for the holding of a special term of the District Court in and for Trinity County.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 130, above reported, was read first and second times, and referred to the Judiciary Committee.

Mr. Perrin gave notice of the introduction of a bill for an Act for the relief of Miss M. H. Bowne.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Campbell of San Francisco, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Johnson, for an Act to fix the time of holding the County Court and Probate Court in the County of Marin.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Weston, for an Act concerning the Insane Asylum of California.

Read first and second times.

Mr. Hubbard moved to refer the bill to the Committee on Hospitals.

Mr. Watson moved to refer to the Committee on Public Buildings.

Mr. Wiley moved the previous question.

The House so ordered.

The motion of Mr. Watson prevailed.

GENERAL FILE.

Assembly bill No. 53, an Act making appropriation for a deficiency in the appropriations made for the fourteenth fiscal year, ending on the

thirtieth day of June, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 132, an Act supplementary to an Act entitled an Act to amend an Act to limit the time for presentation of claims against counties and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven, approved April eighth, eighteen hundred and sixty-three—recommitted, with special instructions, to Committee on Claims.

Senate bill No. 71, relating to fees of officers in San Mateo County—returned to file.

Assembly concurrent resolution No. 5, relating to the National Government—returned to file.

Mr. Dodson had leave to give notice of the introduction of a bill for an Act to amend an Act entitled an Act to authorize and require the Boards of Supervisors of the Counties of Napa and Lake, respectively, to levy a special tax for the purpose of improving and repairing the public highway connecting Napa City and Lakeport.

On motion of Mr. Littlefield, the rules were suspended, and Assembly bill No. 75, an Act to provide for the disposition of moneys collected under an Act concerning passengers arriving in the ports of the State of California, approved May twelfth, eighteen hundred and fifty-two, and Acts amendatory thereof and supplemental thereto, was taken up, read third time, and passed.

At twelve o'clock and five minutes p. m., there being no further business, on motion of Mr. Kewen, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 26th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted for two days, each, to Messrs. Mebius and Weston.

Journal of yesterday read and approved.

PETITIONS.

Mr. Wood presented a petition of citizens of San Francisco, in favor of a special tax for School purposes.

Referred to the Committee on Education.

Mr. Alley presented a petition of citizens of Sierra County, in favor of a special tax for School purposes.

Referred to the Committee on Education.

Mr. Watson presented a petition of citizens of Sacramento County, in favor of a special tax for School purposes.

Referred to the Committee on Education.

Mr. Dodson presented a petition of citizens of Lake County, in favor of a special tax for School purposes.

Referred to the Committee on Education.

Mr. Hartsough presented a petition of citizens of Yolo County, in favor of a special tax for School purposes.

Referred to the Committee on Education.

Mr. Clayton presented a memorial of the Omnibus, North Beach and Mission, and Central Railroad Companies, of San Francisco, on the subject of an increase in the rate of fare on horse railroads in San Francisco.

Referred to the San Francisco delegation, with instructions to report a synopsis.

REPORTS.

Mr. Chappell, Chairman of the Committee on Public Expenditures and Accounts, made the following report:

MR. SPEAKER:—Your Committee on Public Expenditures and Accounts, having examined, and found correct, the following bills, beg leave to report the same back, and respectfully recommend the adoption of the accompanying resolution:

| To whom due. | Amount. |
|---|----------|
| N. P. Brown & Co., for Daily Transcript for session..... | \$17 00 |
| California Christian Advocate for session..... | 9 00 |
| John C. Boggs, for Stars and Stripes for session..... | 96 00 |
| A. Wiley, for Humboldt Times for session..... | 39 00 |
| Thomas L. Thompson, for Sonoma Democrat for session | 14 00 |
| Total | \$175 00 |

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly as follows:

In favor of N. P. Brown & Co., for seventeen dollars;
 In favor of California Christian Advocate, for nine dollars;
 In favor of John C. Boggs, for ninety-six dollars;
 In favor of A. Wiley, for thirty-nine dollars;
 In favor of Thomas L. Thompson, for fourteen dollars.

CHAPPELL, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No 160, an Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of the State, passed March fifth, eighteen hundred and sixty-one, have had

the same under consideration, and report it back with recommendation of its passage;

Also, Assembly bill No. 161, an Act to confer the powers of Commissioners of Deeds, for the time being, upon certain officers of the army of the United States, and report the same back with a substitute, and recommend the passage of the substitute.

CAMPBELL of San Francisco, Chairman.

Mr. Wilsey, Chairman of the Committee on Corporations, made the following report:

MR. SPEAKER:—Your Committee on Corporations, to whom was referred Assembly bill No. 101, have had the same under consideration, and recommend its passage;

Also, Assembly bill No. 105, an Act granting right of way over certain lands in Lake and Sonoma Counties, for the construction of a wagon road, have considered the same, and recommend its passage.

WILSEY, Chairman.

Mr. Owen, Chairman of the Committee on Education, made the following report:

MR. SPEAKER:—The Committee on Education, to whom was referred the petition of citizens of Shasta County, praying for an extension of time for the final payment of the purchase money for certain School Lands, with instructions to report by bill, respectfully submit the accompanying bill, an Act to extend the final payment for certain lands, as their report, with the recommendation that the bill pass.

OWEN, Chairman.

The rules were suspended, and the bill above reported read first and second times, rules again suspended, the bill considered engrossed, read third time, and passed.

The rules were suspended, on motion of Mr. Hittell, and Senate bill No. 65, reported in Senate message, taken therefrom, read first and second times, rules again suspended, read third time, and passed.

Mr. Watson made the following report:

MR. SPEAKER:—Your committee, to whom was referred Assembly bill No. 170, an Act concerning the Insane Asylum of California, report the same back with amendments, and respectfully recommend its passage as amended.

LUX,
WATSON,
BEAMAN,
SCOTT.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:—The Committee on Claims, to whom was recommitted Assembly bill No. 132, with special instructions, would respectfully report the bill back to the House, with the amendment inserted.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims, having had under consideration the petition of H. Whittell, would report that the petition sets forth that the petitioner is the holder of certain bonds, known as the Court House and Jail Bonds, and find that the claim is barred by the Consolidation Act of eighteen hundred and fifty-eight, certain provisions of which Act were, by the Legislature of eighteen hundred and sixty-one, extended from May to January, eighteen hundred and sixty-two. The committee, being satisfied that there is some merit in the claim, and in view of the fact that the question at issue is one strictly between the petitioner and the people of the County of Sacramento, would respectfully recommend that the petition be referred to the Sacramento delegation.

CAMPBELL of El Dorado, Chairman.

The petition above reported was referred in accordance with the recommendation.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 116, an Act amendatory of and supplemental to an Act to fund the debt of Solano County, and to provide for the payment thereof, passed April twenty-fourth, eighteen hundred and fifty-four ;

Also, Assembly bill No. 7, an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco ;

Also, Assembly bill No. 64, an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, eighteen hundred and sixty-three ;

And this, the twenty-sixth day of January, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

Also, have examined, and found correctly enrolled, Assembly concurrent resolution No. 20, granting John W. Bost, County Clerk of Merced County, leave of absence ;

Also, Assembly concurrent resolution No. 19, granting E. Hall, County Clerk of San Joaquin County, leave of absence ;

And this, the twenty-sixth day of January, eighteen hundred and sixty-four, presented the same to the Secretary of State.

REDFIELD, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 34, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

DYER, Chairman.

Mr. Scott of Alameda made the following report :

MR. SPEAKER :—The Alameda delegation, to whom was referred Assem-

bly bill No. 120, an Act to provide for assessing and collecting taxes in the County of Alameda, have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute.

SCOTT, for Delegation.

Mr. Sepulveda made the following report :

MR. SPEAKER:—The Los Angeles delegation, to whom was referred Assembly bill No. 148, an Act to authorize the Administrator of the estate of Maria Ygnacia Amador de Alvarado, deceased, to sell and convey real estate, beg leave to report the same back to the House, and recommend its passage.

SEPULVEDA, for Delegation.

Mr. Brown of Amador made the following report :

MR. SPEAKER:—The special committee, to whom was referred Assembly bill No. 100, have had the same under consideration, and beg leave to report it back with a substitute, and respectfully recommend the passage of the substitute.

BROWN, for Committee.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 23d, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 144, an Act imposing further duties upon the Board of Supervisors of the County of Mariposa ;

Also, Assembly bill No 125, an Act extending the time for assessing real and personal property in the County of El Dorado for the fiscal year ending March first, eighteen hundred and sixty-four ;

Also, Senate substitute for Assembly bill No. 20, an Act to appropriate certain moneys out of the Military Fund.

FRED'K F. LOW,
Governor.

The rules were suspended, on motion of Mr. Wood, and Assembly bill No. 103, an Act concerning gaming, was taken up and recommitted to the Committee on Public Morals.

Mr. Dodson made the following report :

MR. SPEAKER:—Your special committee, the delegation from Lake and Napa, report back Assembly bill No. 138, with substitute, and recommend its passage ;

Also, report back Assembly bill No. 21, with substitute, and recommend its passage.

DODSON, for Committee.

The rules were suspended, and the substitute for Assembly bill No. 21, above reported, was taken up, adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

The rules were suspended, and the substitute for Assembly bill No. 138, above reported, was taken up, adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

SPECIAL ORDER.

The special order of the day, Assembly bill No. 137, an Act supplemental to an Act for the education and care of the indigent Deaf, Dumb, and Blind, approved April, eighteen hundred and sixty, and also to an Act supplemental thereto, approved March twenty-ninth, eighteen hundred and sixty-one, was, on motion of Mr. Hubbard, laid on the table.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
January 26th, 1864. }

MR. SPEAKER :—The Senate, yesterday, amended, and adopted as amended, Assembly concurrent resolution No. 21, relative to printing the General File of both Houses ;

Also, passed Assembly bill No. 2, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco ;

Also, passed Assembly bill No. 35, an Act to exempt the property of the San Francisco Ladies' Protection and Relief Society from taxation ;

Also, passed Assembly bill No. 40, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty ;

Also, passed Assembly bill No. 72, an Act to amend an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, passed Assembly bill No. 122, an Act to authorize the City of San José to loan its credit for School purposes, and to provide for the redemption of the same ;

Also, passed Assembly bill No. 126, an Act to amend an Act entitled an Act to extend the term of office, define the duties and powers in certain cases, and establish the salaries of the Board of Supervisors of San Bernardino County, approved April fifteenth, eighteen hundred and sixty-one ;

Also, on the twenty-second instant, passed Senate bill No. 65, an Act to empower the Board of Supervisors of the City and County of San Francisco to appropriate certain moneys for the purchase of lot and building, and making repairs ;

Also, on the twenty-first instant, passed Senate bill No. 132, an Act to provide for opening and grading Huntoon street, in the Town of Oroville, from the railroad depot in said town to Safford street ;

Also, on the twenty-second instant, passed Senate bill No. 137, an Act to legalize the assessments of taxes in the County of Amador ;

Also, on the twenty-fifth instant, adopted Senate concurrent resolutions No. 21, relative to employment of Clerk and Sergeant-at-Arms by the Joint Committee upon the affairs of the Deaf, Dumb, and Blind Asylum, and ask concurrence of Assembly.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 132, above reported, read first and second times, and placed on file.

Senate bill No. 137, above reported, read first and second times, and referred to the Amador delegation.

Senate concurrent resolution No. 21, above reported, was concurred in.

Senate amendment to Assembly concurrent resolution No. 21, above reported, was concurred in.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

- By Mr. Winchester, for an Act to repeal that portion of an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, contained in Chapter Five of said Act, relating to the appointment of Court Commissioners in the different counties of this State.

- By Mr. Wright, for an Act amendatory of the general election law.

- By Mr. Allen, for an Act concerning the office of County Superintendent of Common Schools in San Joaquin County.

- By Mr. Hittell, for an Act to provide for the collection of statistics.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Scott of Alameda, for an Act concerning legal advertisements.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hill, for an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Allen, for an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, A. D. eighteen hundred and sixty-four, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-six.

Read first and second times, and referred to the Committee on Ways and Means, and ordered printed.

By Mr. Dodson, for an Act to amend an Act entitled an Act to authorize and require the Board of Supervisors of the Counties of Lake and Napa, respectively, to levy a special tax for the purpose of improving and repairing the public highway connecting Napa City and Lakeport.

Read first and second times, and placed on file.

GENERAL FILE.

Assembly bill No. 123, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one—read third time, and passed.

Assembly bill No. 147, an Act to transfer certain funds—read third time, and passed.

Assembly bill No. 156, an Act to fix the compensation of the Board of Supervisors of Yolo County—read third time, and passed.

Assembly bill No. 162, an Act to amend an Act amending section eighty of an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three—amendments adopted, and the bill laid on the table.

Assembly bill No. 23, an Act relative to fees and salaries of officers—made special order for Wednesday, February third, at twelve o'clock M.

Assembly bill No. 24, an Act to amend an Act entitled an Act to provide revenue for the government of this State, passed May seventeenth, eighteen hundred and sixty-one.

Mr. Hittell moved to make the bill the special order for February third, at twelve o'clock M.

Lost.

Mr. Dodson moved to indefinitely postpone the bill.

On which, Messrs. Winchester, Beaman, and Perrin, demanded the ayes and noes.

Mr. Martin moved the previous question.

On which, Messrs. Winchester, Sumner, and Van Schaick, demanded the ayes and noes, and the House refused to order the previous question by the following vote :

AYES—Messrs. Allen, Alley, Bowman, Boulware, Campbell of El Dorado, Clayton, Devoe, Dickinson, Dow, Dutton, Fraser, Hubbard, Hunt, Kendrick, Martin, Parker, Perrin, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Tukey, Wiley, Wilsey, and Wright—25.

NOES—Messrs. Beaman, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Chappell, Clark, Dodson, Dyer, Erkson, Gray, Green, Hartsough, Hittell, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, McColliam, Perley, Pratt, Rule, Sepulveda, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, and Winchester—31.

The House refused to indefinitely postpone the bill by the following vote :

AYES—Messrs. Allen, Bowman, Boulware, Brown of Amador, Campbell of El Dorado, Clark, Clayton, Dickinson, Dodson, Dow, Dyer, Hartsough, Hubbard, Hunt, Kendrick, Kewen, Langdon, Ludlow, Martin, Parker, Personette, Redfield, Scott of Alameda, Smith of Sonoma, Teare, Walker of Fresno, Wiley, and Wilsey—28.

NOES—Messrs. Alley, Beaman, Brooks, Brown of Tulare, Campbell of San Francisco, Chappell, Cherry, Devoe, Dutton, Erkson, Fraser, Gray, Green, Hill, Hittell, Hirst, Jenison, Johnson, McColliam, Perley, Perrin, Pratt, Scott of Siskiyou, Sepulveda, Smith of Nevada, Snyder, Sumner, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Wilcox, Winchester, and Wright—36.

On motion of Mr. Wright, the bill was laid on the table.

Assembly concurrent resolution No. 12. concerning the appointment of disloyal persons to offices of trust and profit—reported with a substitute.

Mr. Boulware moved to recommit the resolution, with special instruc-

tions to the committee to designate by name the persons intended to be censured thereby.

Mr. Scott of Alameda moved to make the further consideration of the resolution the special order for to-morrow, at one o'clock p. m.

The House so ordered.

The rules were suspended, and Senate bill No. 71, an Act to define and limit the compensation of officers, and reduce public expenses and taxation in the County of San Mateo, was taken up out of its order—read third time, and passed.

On motion of Mr. Dodson, at two o'clock and fifty-five minutes p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Wednesday, January 27th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 145, an Act concerning roads and highways;

Also, Assembly bill No. 172, an Act to extend the time of final payment for certain lands;

Also, Assembly concurrent resolution No. 9, concerning the disposition of lands of the Nome Lackee Reservation.

DYER, Chairman.

The rules were suspended, and Assembly bill No. 172, above reported, was taken up, and, by unanimous consent, the following section was inserted:

“Section 3. This Act shall take effect and be in force from and after its passage.”

PETITIONS.

Mr. Ludlow presented a petition, signed by seven hundred persons, praying the creation of the County of Alpine.

Referred to the Committee on Counties and County Boundaries.

Mr. Green presented a petition of citizens of San Mateo County, for a special School tax.

Referred to the Committee on Education.

Mr. Tukey presented a petition of citizens of Sacramento County, for a special School tax.

Referred to the Committee on Education.

Mr. Campbell of El Dorado presented a petition of citizens of El Dorado County, for a special School tax.

Referred to the Committee on Education.

Mr. Speaker announced the appointment of Mr. Hirst in place of Mr. Mitchell on the Committee on Education.

REPORTS.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER :—The Committee on Roads and Highways, to whom was referred Senate bill No. 36, an Act to extend the time for completing the turnpike road leading from Doshe's Store, in Ione Valley, to the Town of Jackson, in the County of Amador, beg leave to report it back without the amendment recommended in our first report, and recommend that it pass as it came from the Senate.

LUDLOW, Chairman.

Mr. Wiley made a report from a majority of the Committee of Free Conference on Assembly concurrent resolutions No. 13.

Laid on the table.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 27th, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 7, an Act to prescribe the jurisdiction of the Police Judge's Court of the City and County of San Francisco.

FRED'K F. LOW,
Governor.

Mr. Winchester offered the following resolution :

Resolved, That the Sergeant-at-Arms be and is hereby instructed to purchase a copy of President Lincoln's Emancipation Proclamation, executed in pen sketch, by Master Frederick S. Butler, and to suspend the same in some suitable place in this hall.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
January 27th, 1864.

MR. SPEAKER :—The Senate, yesterday, passed Senate bill No. 79, an Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and all other Acts amendatory.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 79, above reported, was read first and second times, and referred to the Judiciary Committee.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Lux, for an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River.

By Mr. Winchester, for an Act to prevent hogs from running at large in the County of Placer.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Jenison, for an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and to re-enact former laws. Read first and second times, and referred to the Tehama delegation.

By Mr. Pratt, for an Act to fix the salary of the Superintendent of Common Schools of Placer County.

Read first and second times, and referred to the Placer delegation.

By Mr. Tukey, for an Act amendatory of and to extend the provisions of an Act entitled an Act authorizing John W. Sharp and his associates to construct and maintain a toll road from the eastern bank of the Sacramento River, near Georgiana Slough, to the lower Stockton road, near Benson's Ferry, in the County of Sacramento, approved April fourteenth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Sacramento delegation.

Also, for an Act in relation to the Board of Education of the City of Sacramento.

Read first and second times, and referred to the Sacramento delegation.

By Mr. Badlam, for an Act entitled an Act concerning private roads in the County of Sacramento.

Read first and second times, and referred to the Sacramento delegation.

By Mr. Allen, for an Act in relation to the office of the County Superintendent of Common Schools of the County of San Joaquin.

Read first and second times, and referred to the San Joaquin delegation.

By Mr. McColliam, for an Act to amend an Act entitled an Act concerning the office of County Clerk, Sheriff, and County Recorder of the City and County of San Francisco, approved March seventh, eighteen hundred and fifty-nine.

Read first and second times, and ordered to General File.

By Mr. Wood, for an Act to audit and allow a certain claim.

Read first and second times, and ordered to General File.

By Mr. Watson, for an Act to change the name of James Kinsman.

Read first and second times, and ordered to General File.

By Mr. Winchester, for an Act to repeal a portion of an Act entitled an Act concerning Courts of justice of this State, and judicial officers.

Read first and second times, and referred to the Judiciary Committee.

The rules were suspended, and Assembly bill No. 162, an Act to amend

an Act amending section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three, taken from the table.

The reported amendment was adopted, the rules suspended, and the bill considered engrossed, read third time, and passed, and the title amended.

SPECIAL ORDER.

On motion of Mr. Campbell of San Francisco, the special order of the day, Assembly bill No. 131, an Act to amend an Act to regulate proceedings in criminal cases, was continued until Wednesday, February third, at twelve o'clock M.

GENERAL FILE.

Assembly bill No. 45, an Act for the better protection of the agricultural interests of this State, and the more effectual prevention of the trespassing of animals on private property, reported with a substitute—substitute adopted, and considered in Committee of the Whole, (Mr. Brown of Amador in the Chair.)

IN ASSEMBLY.

The committee rose, reported progress, and asked leave to sit again.

On motion of Mr. Kewen, the bill above reported was made the special order for Tuesday, February second, at twelve o'clock M.

SECOND SPECIAL ORDER.

Assembly concurrent resolution No. 12, (the special order of the day at one o'clock,) was taken up, and the following substitute therefor adopted:

“Resolved, That the elevation of disloyal persons to place of profit and trust, and the granting of emoluments to persons of known disloyalty, deserves and should receive the unqualified condemnation of all loyal men.”

Assembly bill No. 34, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—read third time, and passed.

At two o'clock and twenty-two minutes P. M., on motion of Mr. Bowman, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, January 28th, 1864. }

House met pursuant to adjournment.
Speaker in the Chair.
Roll called.
Quorum present.
Prayer by Reverend Mr. Peck.
Journal of yesterday read and approved.

PETITIONS.

Mr. Martin presented a petition of citizens of Nevada County in favor of a special School tax.

Referred to the Committee on Education.

Mr. Hill presented a petition of citizens of San Luis Obispo County in favor of a special School tax.

Referred to the Committee on Education.

REPORTS.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report :

MR. SPEAKER :—The Committee on Public Morals, to whom was referred Assembly bill No. 102, an Act supplementary to an Act to prohibit noisy and barbarous amusements on the Christian Sabbath, have considered the same, and respectfully report :

That said bill embraces no new provision, nor does it ask any amendment of any provision of the existing law, but simply asks a statutory construction of existing provisions of the Act to which it is intended as a supplement. The question is therefore not one of public morals, but a judicial one, and should be referred to a more appropriate committee—the Judiciary. The committee therefore report the bill back to the House, and ask to be discharged from further consideration of the same.

WALKER of Alameda, Chairman.

The bill above reported was referred in accordance with the recommendation of the committee.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report :

MR. SPEAKER :—The Committee on Public Morals, to whom was referred Assembly bill No. 103, an Act to prohibit gaming, have considered the same, and respectfully report it back to the House, with amendments, and unanimously recommend its passage as amended.

WALKER of Alameda, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 174, an Act to submit the question of the removal of the county seat of Lake County to the qualified voters thereof.

DYER, Chairman.

Mr. Weston made the following report :

Mr. SPEAKER :—The special committee, to whom was referred Assembly bill No. 166, entitled an Act to condemn parts of certain streets adjacent to the Insane Asylum in the City of Stockton, for Asylum purposes, respectfully offer the following report :

The streets that the bill proposes to condemn are adjacent to the main Asylum grounds, and separate them from the two adjoining lots, for the purchase of which an appropriation was made at the last session of the Legislature. The property belongs to the City of Stockton. The city authorities are willing and anxious to convey all their interests in the above streets to the Insane Asylum. But here a difficulty arises, to wit : the land for streets in the City of Stockton was granted to the city with the condition that it be used for roads and highways, and for that purpose alone; so that it follows, if the city should convey this property to the Asylum, to be used for Hospital purposes, it would revert back to the original grantor. With him, the Directors of the Asylum can make no arrangement to which it would be proper for them to accede. To obviate this difficulty, they propose that the State condemn this property, and then, the Directors having only the city authorities to deal with, the arrangement can be speedily consummated.

The committee, having carefully considered the subject matter embraced in the above bill, report the same back to the House, and recommend its passage.

WESTON, for Committee.

Mr. Rule made the following report :

Mr. SPEAKER :—The Nevada delegation, to whom was referred Senate bill No. 107, an Act to revise and amend an Act entitled an Act to incorporate the Town of Grass Valley, have had the same under consideration, report it back, and recommend its passage.

RULE, for Delegation.

The rules were suspended, and the bill above reported taken up, read third time, and passed.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims, having had under consideration Assembly bill No. 152, an Act for the relief of Mary Bowie, Executrix, beg leave to report the bill back to the House, recommending its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 155, an Act to authorize the issuance of a duplicate

bond and certificate to Robert M. Irving, and would respectfully report it back to the House, and recommend the passage of the bill.

CAMPBELL of El Dorado, Chairman.

Mr. Pratt made the following report: -

Mr. SPEAKER:—The Placer delegation, to whom was referred Assembly bill No. 180, have had the same under consideration, and beg leave to report the same back, recommending its passage.

PRATT, for Delegation.

RESOLUTIONS.

Mr. Rhoads offered a preamble and resolution that each member of the Legislature contribute the sum of fifty dollars to the Sanitary Fund. Laid on the table.

Mr. Van Schaick offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized and required to procure a new chair for the Speaker's desk

Amended and adopted.

Mr. Hittell offered a concurrent resolution relative to the adoption of a standard of orthography for the official printing of this State.

Referred to the Committee on Education.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
January 27th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Assembly bill No. 156, an Act to fix the compensation of the Board of Supervisors of Yolo County;

Also, adopted Senate concurrent resolution No. 22, relative to the exportation of blasting powder to Mexico, and ask concurrence of Assembly.

A. W. BISHOP,
Assistant Secretary.

The House concurred in Senate concurrent resolution No. 22, above reported.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Pratt, for an Act concerning Assessors and Collectors of the County of Placer.

By Mr. Hill, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State.

REPORT.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 72, an Act to amend an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 35, an Act to exempt the property of the San Francisco Ladies' Protection and Relief Society from taxation;

Also, Assembly bill No. 88, an Act to fix the amount of the official bond of the Public Administrator of the County of El Dorado;

Also, Assembly bill No. 95, an Act to amend an Act entitled an Act concerning certain salaries in the County of Santa Barbara, approved March sixteenth, eighteen hundred and sixty-three;

Also, Assembly bill No. 122, an Act to authorize the City of San José to loan its credit for School purposes, and to provide for the redemption of the same;

Also, Assembly bill No. 2, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two, and to an Act supplementary to and amendatory of said Act, approved March twenty-eighth, eighteen hundred and sixty-three;

Also, Assembly bill No. 126, an Act to amend an Act entitled an Act to extend the term of office, define the duties and powers in certain cases, and establish the salaries of the Board of Supervisors of San Bernardino County, approved April fifteenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 40, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty;

And have, on this, the twenty-eighth day of January, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

They have also examined, and found correctly enrolled, Assembly concurrent resolution No. 21, relative to printing the General File of both Houses.

REDFIELD, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hittell, for an Act to amend the Act entitled an Act in relation to liens of mechanics and others, passed April twenty-sixth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brooks, for an Act to authorize the sale and conveyance to the Golden City Homestead Association of certain Overflowed Lands in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Wason, for an Act concerning the records of the District Court of the Seventh Judicial District in and for Solano County.

Read first and second times, and ordered to General File.

GENERAL FILE.

Assembly concurrent resolution No. 9, concerning disposition of lands of the Nome Lackee Reservation—read third time, and passed.

Assembly bill No. 145, an Act concerning roads and highways—read third time, and passed.

Assembly concurrent resolution No. 5, relative to the National Government—laid on the table.

Assembly bill No. 160, an Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of this State, passed March fifth, eighteen hundred and sixty-one—ordered engrossed and read third time.

SPECIAL ORDER.

At twelve o'clock the House considered the first special order of the day, Assembly bill No. 79, an Act for the completion of the State Capitol, and to provide for the payment of the same.

The bill was considered in Committee of the Whole, (Speaker pro tem in the Chair.)

IN ASSEMBLY.

The Committee rose, reported progress, and asked leave to sit again.

Mr. Martin moved to recommit the bill to the Committee on Public Buildings.

House agreed.

Mr. Hittell moved to instruct said committee to report the specifications upon which the estimate of price is based.

On motion of Mr. Hittell, at two o'clock and thirty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, January 29th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read.

Mr. Hittell moved to amend the Journal by inserting the word "verified" before "specifications."

The motion was rejected.

Journal approved.

On motion of Mr. Tukey, Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress, was taken from unfinished business, and made the special order for to-day, at twelve o'clock and thirty minutes P. M.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No 173, an Act amendatory of an Act entitled an Act to define the boundaries and provide for the organization of Lake County, approved May twentieth, eighteen hundred and sixty-one.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

Mr. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 178, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three, have had the same under consideration, and report it back, with recommendation of its passage ;

Also, Assembly bill No. 175, an Act concerning legal advertisements, and report the same back with an amendment, and without recommendation ;

Also, Senate bill No. 130, an Act to provide for the holding of a special term of the District Court in and for Trinity County, and recommend the passage of the same ;

Also, Assembly bill No. 271, an Act to fix the time of holding the County Court and Probate Court in the County of Marin, and report the same back, with an amendment, and recommend its passage as amended ;

Also, Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, report the same back, and recommend its passage ;

Also, Senate bill No. 79, an Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and all other Acts amendatory, and report the same back, with recommendation of its passage.

CAMPBELL of San Francisco, Chairman.

On motion of Mr. Personette, the rules were suspended, and Senate bill No. 130, above reported, was taken up, read third time, and passed.

Mr. Allen made the following report :

Mr. SPEAKER:—The San Joaquin delegation, to whom was referred Assembly bill No. 183, an Act in relation to the office of County Superintendent of Common Schools of the County of San Joaquin, have had the same under consideration, and beg leave to report the same back, and recommend its passage.

ALLEN, for Delegation.

Mr. Brown of Amador made the following report :

Mr. SPEAKER:—The special committee, to whom was referred Assembly bill No. 150, an Act organizing the County of Alpine, have had the same under consideration, and report it back to the House, with amendments, and recommend the adoption of the amendments, and the passage of the bill as amended.

BROWN of Amador, for Committee.

Mr. Brown of Amador made the following report :

Mr. SPEAKER :—The special committee, to whom was referred Senate bill No. 137, an Act to legalize the assessment of taxes in the County of Amador, have examined the same, and report it back to the House without amendment, and recommend its passage.

BROWN of Amador.
LUDLOW.

Mr. Jenison made the following report :

Mr. SPEAKER :—The Tehama delegation, to whom was referred Assembly bill No. 179, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and to re-enact former laws, have considered the same, and respectfully report it back to the House, and recommend its passage.

JENISON, for Delegation.

Mr. Littlefield offered the following resolution :

Resolved, That the Judiciary Committee be and are hereby requested to report upon Assembly bill No. 31, at their earliest convenience.

Laid on the table.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Owen, for an Act to confer further powers upon the Common Council of the City of San José.

Read first and second times, and ordered to General File.

By Mr. Dodson, for an Act to provide for the annual collection and publication of the agricultural products of the State.

Read first and second times, and referred to the Committee on Agriculture, and ordered printed.

By Mr. Hubbard, for an Act amending section fifteen of an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, as amended April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Ludlow, for an Act to amend an Act entitled an Act supplemental to an Act entitled an Act providing a Fund for the use of the State Library, passed May first, eighteen hundred and fifty-two, approved May eleventh, eighteen hundred and fifty-three.

Read first and second times, and referred to the Committee on State Library.

By Mr. Green, for an Act supplementary to an Act entitled an Act concerning roads and highways in the County of San Mateo, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and ordered to General File.

GENERAL FILE.

Assembly bill No. 161, an Act to confer the powers of Commissioners of Deeds, for the time being, upon certain officers of the army of the

United States—substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 105, an Act granting the right of way over certain lands in this State, in the Counties of Lake and Sonoma, for the construction of a wagon road—ordered engrossed and read third time.

Assembly bill No. 101, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three—ordered engrossed and read third time.

Assembly bill No. 170, an Act concerning the Insane Asylum of California.

Mr. Allen moved to lay the bill on the table.

Lost.

An amendment to the first section was adopted.

On motion of Mr. Scott of Alameda, the further consideration of the bill was postponed until Tuesday, February second, at twelve o'clock M.

SPECIAL ORDER.

Assembly concurrent resolution No. 15, concerning Senator McDougall—

Mr. Martin moved to postpone the further consideration until this day week.

Lost.

Mr. Rule moved to postpone until Tuesday next, at twelve o'clock M.

Lost.

Mr. Snyder offered the following amendment to the substitute reported by the committee: Amend, by inserting after the word "America," in the seventh line, the words, "and it being understood that he is usually drunk."

Mr. Scott of Alameda moved to refer the whole subject to a special committee of three.

Adopted.

SECOND SPECIAL ORDER.

Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress.

On motion of Mr. Hittell, the bill was made the special order for Thursday, February fourth, at twelve o'clock M.

GENERAL FILE RESUMED.

Assembly bill No. 132, an Act supplementary to an Act entitled an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven, approved April eighth, eighteen hundred and sixty-three—amendment adopted, read third time, and passed.

Assembly bill No. 120, an Act to provide for assessing and collecting taxes in the County of Alameda—substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 148, an Act to authorize the Administrator of the estate of Maria Ygnacia Amador de Alvarado, deceased, to sell and convey real estate—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 100, an Act for the relief of Robert Glass—the sub-

stitute reported was adopted, the rules suspended, read first and second times, considered engrossed, read third time, and passed.

Senate bill No. 132, an Act to provide for opening and grading of Huntuon street, in the Town of Oroville, from the railroad depot, in said town, to Safford street—read third time, and passed.

Assembly bill No. 177, an Act to amend an Act entitled an Act to authorize the Board of Supervisors of the Counties of Napa and Lake, respectively, to levy a special tax for the purpose of improving and repairing the public highway connecting Napa City and Lakeport—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 36, an Act to extend the time for completing the turnpike road leading from Doshe's Store, in Ione Valley, to the Town of Jackson, in the County of Amador—read third time, and passed.

Assembly bill No. 187, an Act to change the name of James Kinsman—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 103, an Act to prohibit gaming—made the special order for Wednesday, February third, at eleven o'clock and forty-five minutes A. M.

Assembly bill No. 166, an Act condemning parts of certain streets adjacent to the Insane Asylum, in the City of Stockton, for Asylum purposes—ordered engrossed, and read third time.

Assembly bill No. 155, an Act to authorize the issuance of a duplicate bond and certificate to Robert M. Irving—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 180, an Act to fix the salary of the Superintendent of Common Schools of Placer County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 152, an Act for the relief of Mary Bowie—considered in Committee of the Whole, (Mr. Dow in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 191, an Act concerning the records of the District Court of the Twelfth Judicial District in and for Solano County—rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Owen, Assembly bill No. 192, an Act to confer further powers upon the Common Council of the City of San José, was taken up, the rules suspended, considered engrossed, read third time, and passed.

The Speaker announced the following special committee on the resolutions relative to Senator McDougall: Messrs. Scott of Alameda, Wright, and Cherry.

There being no further business, on motion of Mr. Hill, at two o'clock and five minutes P. M., the House adjourned.

IN ASSEMBLY

HOUSE OF ASSEMBLY,
Saturday, January 30th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Hartsough was granted leave of absence for one day.

Mr. Dodson, failing to respond at roll call, afterwards asked and obtained leave to be recorded as present at that time.

PETITIONS.

Mr. Johnson presented a petition of citizens of Marin County in favor of a special School tax.

Referred to the Committee on Education.

Mr. Smith of Sonoma presented a petition of citizens of Sonoma County of like purport.

Referred to the Committee on Education.

Mr. Gray presented a petition of the Manufacturing Glass and Glassware Company for the cession of water frontage on the Bay of San Francisco.

Referred to the Committee on Commerce and Navigation.

Mr. Hirst presented a petition of citizens of Sawyer's Bar, Klamath County, in favor of a special School tax in said county.

Referred to the Committee on Education.

REPORTS.

Mr. Owen, Chairman of the Committee on Education, made the following report:

MR. SPEAKER:—The Committee on Education, to whom was referred Assembly concurrent resolution No. 23, relating to the adoption of Worcester's system of orthography for the official printing of this State, report the same back to the House, with the recommendation that it do not pass.

OWEN, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

MR. SPEAKER:—The Committee on Ways and Means, to whom was referred Assembly bill No. 117, an Act to exempt from forced sale certain property, have had the same under consideration, and report it back, recommending its passage;

Also, Assembly bill No. 133, an Act to amend an Act entitled an Act to amend an Act relative to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-three, have had the same under consideration, and report it back, recommending its passage;

Also, Assembly bill No. 134, an Act to amend an Act entitled an Act

to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, approved March third, eighteen hundred and sixty-three, have had the same under consideration, and report it back without recommendation.

ALLEN, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 162, an Act to amend an Act entitled an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May twenty-seventh, eighteen hundred and sixty-three;

Also, Assembly bill No. 160, an Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of this State, passed March fifth, eighteen hundred and sixty-one;

Also, Assembly bill No. 101, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three.

DYER, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Owen offered the following resolution :

Resolved, By this Assembly, that the Honorable A. A. Sargent be and he is hereby invited to repeat the lecture recently delivered by him at Folsom, on the "Lessons of the Times," in this Assembly Chamber, on some evening best suited to his convenience.

Adopted.

Mr. Badlam offered a concurrent resolution of inquiry as to the disposition of the State appropriation for the relief of the widow of Colonel Roderick Matheson.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
January 30th, 1864. }

MR. SPEAKER :—The Senate yesterday passed Senate bill No. 93, an Act to provide for the collection of delinquent taxes in the City of Nevada;

Also, adopted Senate concurrent resolutions No. 1, relative to the seat held in the United States Senate by Honorable James A. McDougall, and ask concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 93, above reported, read first and second times, rules suspended, read third time, and passed.

Senate concurrent resolutions No. 1, above reported, referred to the special committee on resolutions relative to Senator McDougall.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Gray, for an Act to sell certain Overflowed Lands to the Pacific Glass Works ;

Also, for an Act for the relief of John Wigmore.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Dodson, for an Act to amend an Act entitled an Act to prohibit the carrying of concealed weapons, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Badlam, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and of the several Acts amendatory thereof.

Read first and second times, and referred to the Judiciary Committee.

The Speaker presented the following communication :

SACRAMENTO, January 30th, 1864.

Honorable W. H. Sears, Speaker of the Assembly :

DEAR SIR:—I shall take pleasure in complying with the request of the Assembly contained in the resolution of this date, and will repeat the lecture referred to on Thursday evening next.

Respectfully,

A. A. SARGENT.

GENERAL FILE.

Assembly bill No. 178, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 175, an Act concerning legal advertisements.

Mr. Wilcox moved that Mariposa be excluded from the provisions of the bill.

Adopted.

On motion of Mr. Martin, the bill was recommitted to a special committee of five, composed of Messrs. Martin, Hubbard, Owen, Brooks, and Scott of Alameda.

Assembly bill No. 171, an Act to fix the time of holding the County Court and Probate Court in the County of Marin.

On a motion to suspend the rules to consider the bill engrossed, the

rules were suspended, to consider the following resolution, offered by Mr. Dyer:

Resolved, That it shall be the duty of the Engrossing Committee to examine all bills presented to this House, together with the engrossed copies thereof, and shall see that the engrossed bill is a true copy of the original, with the exception of corrections in grammar, orthography, and punctuation.

Mr. Martin moved to add "unless ordered otherwise by a vote of the House."

Mr. Dodson moved to strike out the words "presented to," and insert "ordered or considered engrossed by."

By decision of the Chair, the resolution was laid over one day.

The House refused to consider engrossed Assembly bill No. 171, but ordered the same to engrossment and third reading.

Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—ordered engrossed and read third time.

Assembly bill No. 183, an Act in relation to the office of the County Superintendent of Common Schools of the County of San Joaquin—ordered engrossed and read third time.

Senate bill No. 79, an Act to amend an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and all other Acts amendatory—ordered read third time.

Senate bill No. 137, an Act to legalize the assessments of taxes in the County of Amador—rules suspended, read third time, and passed.

Assembly bill No. 150, an Act to create the County of Alpine, to define its boundaries, and to provide for its organization—the amendments reported with the bill were adopted.

Mr. Ludlow offered amendments to the sixth section, two of which were adopted, leaving one undisposed of, when—

Mr. Martin moved to recommit the bill to the delegations from counties adjoining the proposed new one.

Adopted.

Mr. Martin moved to adjourn.

On which, Messrs. Winchester, Dow, and Van Schaick, demanded the ayes and noes, and the House refused, by the following vote:

AYES—Messrs. Beaman, Brown of Amador, Brown of Tulare, Cherry, Dutton, Hill, Lux, Martin, McColliam, Sepulveda, Snyder, Van Leuven, Weston, Wilcox, Wiley, and Wood—16.

NOES—Messrs. Allen, Badlam, Boulware, Brooks, Clark, Clayton, Devoc, Dow, Fraser, Gray, Hubbard, Hirst, Johnson, Langdon, Ludlow, Owen, Parker, Perley, Perrin, Personette, Rhoads, Rule, Smith of Nevada, Sumner, Tukey, Van Schaick, Walker of Alameda, Wason, Watson, Winchester, and Wright—31.

Assembly bill No. 179, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and to re enact former laws—recommitted to the Colusa delegation.

Assembly bill No. 196, an Act supplementary to an Act entitled an Act concerning roads and highways in the County of San Mateo, approved April twenty-seventh, eighteen hundred and sixty-three—ordered engrossed and read third time.

Mr. Beaman moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Martin, Winchester, and Beaman, and the House, at one o'clock and fifteen minutes P. M., agreed to adjourn, by the following vote:

AYES—Messrs. Alley, Beaman, Brooks, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Chappell, Cherry, Clark, Devoe, Dow, Dutton, Dyer, Gray, Green, Hirst, Jenison, Johnson, Langdon, Lux, Owen, Personette, Rhoads, Rule, Smith of Nevada, Sumner, Teare, Van Leuven, Walker of Alameda, Wason, Wilcox, and Wood—32.

NOES—Messrs. Allen, Badlam, Boulware, Clayton, Fraser, Hill, Hubbard, Ludlow, Martin, Parker, Perley, Perrin, Scott of Siskiyou, Sepulveda, Snyder, Tukey, Van Schaick, Watson, Weston, Winchester, and Wright—21.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 1st, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Indefinite leave of absence was granted to Mr. Erkson; to Messrs. Wood, Alley, Wason, Kewen, Bowman, Green, Dutton, Brooks, Cherry, and Wilsey, leave for one day, each; and to Messrs. Martin, Littlefield, Hubbard, Mebius, and Boulware, leave for two days, each.

Journal of Saturday read and approved.

PETITIONS.

Mr. Clayton presented a petition of citizens of San Francisco, for a plank road or bridge across Mission Bay, in the City and County of San Francisco.

Referred to the San Francisco delegation.

Mr. Watson presented a petition of citizens of Sacramento, recommending the purchase of eighty of Henry's repeating rifles.

Referred to the Committee on Military Affairs.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 105, an Act granting the

right of way over certain lands in this State in the Counties of Lake and Sonoma for the construction of a wagon road;

Also, Assembly bill No. 161, an Act to confer the powers of Commissioners of Deeds, for the time being, upon certain officers of the army of the United States;

Also, Assembly bill No. 192, an Act to confer further powers upon the Common Council of the City of San José.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 14, an Act concerning jurors in the County of Santa Clara, with instructions to report a general bill, have attended to that duty, and report the same back, with a general bill as a substitute, without recommendation.

CAMPBELL of San Francisco, Chairman.

Mr. Teare made the following report:

MR. SPEAKER:—Your Committee of Free Conference on the disagreeing vote of the two Houses on Senate bill No. 53, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, passed April twentieth, eighteen hundred and sixty-three, recommend that the Senate concur in the Assembly amendments.

TEARE,
WRIGHT,
CAMPBELL of San Francisco,
Assembly Committee.

BURNELL,
SMITH,
CRANE,
Senate Committee.

Adopted.

Mr. Jenison made the following report:

MR. SPEAKER:—The Tehama delegation, to whom was referred Assembly bill No. 179, entitled an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and to re-enact former laws, have considered the same, report it back to the House, with an amendment, recommend that the amendment be adopted, and that the bill as amended be passed.

JENISON, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, January 30th, 1864. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly

bill No. 116, an Act amendatory of and supplemental to an Act to fund the debt of Solano County, and to provide for the payment thereof, passed April twenty-fourth, eighteen hundred and fifty-four;

Also, Assembly bill No. 3, an Act to grant Ruel Stickney the right to construct and maintain a bridge across Big River;

Also, Assembly bill No. 95, an Act to amend an Act entitled an Act concerning certain salaries in the County of Santa Barbara, approved March sixteenth, eighteen hundred and sixty-three;

Also, Assembly bill No. 2, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-two, and to an Act supplementary and amendatory of said Act, approved March twenty-eighth, eighteen hundred and sixty-three;

Also, Assembly bill No. 126, an Act to amend an Act entitled an Act to extend the term of office, define the duties and powers in certain cases, and establish the salaries of the Board of Supervisors of San Bernardino County, approved April fifteenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 88, an Act to fix the amount of the official bond of the Public Administrator of the County of El Dorado;

Also, Assembly bill No. 122, an Act to authorize the City of San José to loan its credit for School purposes, and to provide for the redemption of the same;

Also, Assembly bill No. 35, an Act to exempt the property of the San Francisco Ladies' Protection and Relief Society from taxation;

Also, Assembly bill No. 64, an Act to amend an Act entitled an Act concerning roads and highways in the Counties of Shasta and Trinity, approved March twenty-eighth, one thousand eight hundred and sixty-three;

Also, Assembly bill No. 40, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

FRED'K F. LOW,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Winchester offered the following resolution:

WHEREAS, The Sacramento Union of this morning reports that his Excellency Governor Low has received a communication from a large number of the soldiers of Camp Union, relating to the appointment of Charles Brown as Sergeant-Major of the cavalry regiment stationed at Camp Union, and it is also represented that several soldiers have been put in irons on suspicion of having been the authors of said communication to the Governor relating to said appointment; therefore, be it

Resolved, That his Excellency Governor Low be requested to furnish to the Assembly such information relating to said appointment as may be in his possession.

Mr. Wright moved to lay the resolution on the table.

Adopted.

Mr. Teare offered the following resolution:

Resolved, That Assembly concurrent resolution No. 13, with the Senate amendments concurred in by the Assembly, be further amended, by striking out the word "concurrent," and the words "the Senate con-

curing," and when so amended, it be adopted as the resolution of the Assembly. That we hereby respectfully invite members of the Senate, who regard said resolutions as an enunciation of their principles, to affix their names thereto.

Laid on the table.

Mr. Dyer moved to take up the resolution offered by him on a former day, relating to the engrossment of bills.

The motion prevailed.

The House adopted the resolution as follows, to be known as Rule No. Seventy-Eight:

Resolved, That it shall be the duty of the Engrossing Committee to examine all bills ordered or considered engrossed by this House, together with the engrossed copies thereof, and shall see that the engrossed bill is a true copy of the original, with the exception of corrections in grammar, orthography, and punctuation.

Adopted.

Mr. Winchester offered the following resolution:

Resolved, That the Committee on Military Affairs be instructed to inquire into the appointment of Charles Brown as Sergeant-Major of the cavalry regiment stationed at Camp Union.

Referred to Committee on Military Affairs.

Mr. Owen offered the following resolution:

WHEREAS, The Honorable A. A. Sargent, having expressed a desire to deliver his lecture on the "Lessons of the Times," on Wednesday evening of the present week, instead of Thursday evening; therefore,

Resolved, That the use of this Assembly Chamber be granted to Mr. Sargent at that time, for the purpose indicated.

Adopted.

Mr. Clayton gave notice of the introduction of a bill for an Act to authorize the parties therein named to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Van Leuven, for an Act to create a Board of Water Commissioners in the County of San Bernardino, and to define their duties.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Watson, for an Act providing for the arming and equipment of the Sacramento Sharpshooters with Henry's repeating rifles.

Read first and second times, and referred to Committee on Military Affairs.

By Mr. Walker of Fresno, for an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale.

Read first and second times, and ordered to General File.

By Mr. Gray, for an Act for the relief of John Wigmore.

Read first and second times, and referred to the Committee on Claims.

Also, for an Act to authorize the sale and conveyance to the Pacific Glass Works of certain Overflowed Lands in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

GENERAL FILE.

Assembly bill No. 160, an Act to amend an Act entitled an Act in reference to corporations organized in this State for the purpose of mining out of this State, passed March fifth, eighteen hundred and sixty-one—read third time, and passed.

Assembly bill No. 101, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three—read third time, and passed.

Assembly concurrent resolution No. 23, concerning the adoption of Worcester's system of orthography—indefinitely postponed.

Assembly bill No. 117, an Act to exempt from forced sale certain property—ordered engrossed and read third time.

Assembly bill No. 133, an Act to amend an Act entitled an Act to amend an Act relative to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three—ordered engrossed and read third time.

Assembly bill No. 134, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May fourteenth, eighteen hundred and sixty-two, approved March third, eighteen hundred and sixty-three—returned to file.

Senate bill No. 79, an Act to amend an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, and all other Acts amendatory—read third time, and passed.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER.

February 1st, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 92, an Act to fix the bonds of the Treasurer of Santa Barbara County ;

Also, this day, concurred in Assembly amendments to Senate bill No. 53 ;

Also, on the twenty-ninth ultimo, passed Senate bill No. 134, an Act in relation to the Probate Court of the City and County of San Francisco ;

Also, on the twenty-eighth ultimo, passed Senate concurrent resolution No. 23, relative to Swamp and Overflowed Lands, and ask concurrence of the Assembly.

A. W. BISHOP,

Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 92, above reported, read first and second times, and the rules being suspended, read third time, and passed.

Senate bill No. 134, above reported, read first and second times, rules suspended, read third time, and passed.

Senate concurrent resolution No. 23, above reported, read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

There being no further business, on motion of Mr. Snyder, at twelve o'clock and forty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.
Tuesday, February 2d, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Indefinite leave of absence was granted to Messrs. Brooks and Bowman, and leave for one day, each, to Messrs. Wilsey, Hirst, Green, and McColliam.

Journal of yesterday read and approved.

Mr. Watson presented a petition from citizens of Sacramento, Yolo, and Solano Counties, relative to Swamp and Overflowed Lands.

Referred to the Committee on Swamp and Overflowed Lands.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 171, an Act to fix the time of holding the County Court and Probate Court in the County of Marin;

Also, Assembly bill No. 178, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 102, an Act supplementary to an Act to prohibit noisy and barbarous amusements on the Christian Sabbath, have had the same under consideration, and report it back, without recommendation;

Also, Assembly bill No. 198, an Act to amend an Act entitled an Act

to prohibit the carrying of concealed weapons, report the same back, with an amendment, and recommend the passage of the bill as amended;

Also, Assembly bill No. 199, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and of the several Acts amendatory thereof, and report the same back, with recommendation of its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Watson made the following report:

MR. SPEAKER:—The Sacramento delegation, to whom was referred the several bills below enumerated, beg leave to report the same back, as follows:

Assembly bill No. 182, an Act in relation to the Board of Education of the City of Sacramento, and recommend its passage;

Also, Assembly bill No. 188, an Act concerning roads in the County of Sacramento, recommend its reference to the Committee on Roads and Highways;

Also, Assembly bill No. 181, an Act authorizing John W. Sharp and associates to construct and maintain a toll road, etc., and recommend its passage;

Also, Assembly bill No. 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento, and recommend its passage.

WATSON, for Delegation.

Assembly bill No. 188, above reported, referred in accordance with the recommendation of the committee

Mr. Redfield offered the following resolution:

Resolved. That the Enrolling Clerk be and he is hereby authorized and empowered to appoint Assistants from time to time, as necessity may require, by and with the consent of the Committee on Enrolment.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER.
February 2d, 1864. }

MR. SPEAKER:—The Senate yesterday passed Senate bill No. 78, an Act to legalize certain records in the office of the Recorder of Placer County;

Also, same day, passed Assembly bill No. 89, an Act in relation to the office of Assessor of the City and County of San Francisco;

Also, same day, passed Assembly bill No. 91, an Act to change the name of James Fitzpatrick;

Also, same day, passed Assembly bill No. 110, an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and sixty-three;

Also, same day, passed Assembly bill No. 127, an Act amendatory of

an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, same day, amended and passed Assembly bill No. 128, an Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, same day, amended and passed, and amended title of Assembly bill No. 84, an Act to prevent the trespassing of animals upon private property in the County of Santa Barbara.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendments to Assembly bill No. 84, above reported.

The House concurred in Senate amendments to Assembly bill No. 128, above reported.

Senate bill No. 78, above reported, read first and second times, and referred to the Placer Delegation.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Hittell, for an Act relative to the reports of State officers.

By Mr. Wright, for an Act concerning forcible entries and unlawful detainers.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Weston, for an Act concerning roads and highways in the County of Sutter.

Read first and second times, and referred to the Sierra delegation.

By Mr. Devoe, for an Act to authorize R. C. Kirby and others to construct and maintain a turnpike road from the Town of Santa Cruz to a point on or near the line of the San Francisco and San José Railroad, and to charge and collect tolls for travel thereon.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Clayton, for an Act to authorize the parties herein named and their associates to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Wood, for an Act to appropriate money to pay the claim of Benjamin P. Avery.

Read first and second times, and referred, with accompanying documents, to the Committee on Claims.

By Mr. Teare, for an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly bill No. 105, an Act granting the right of way over certain lands in this State in the Counties of Lake and Sonoma for the construction of a wagon road—read third time, and passed.

Assembly bill No. 14, an Act concerning jurors in Santa Clara County—reported with a substitute, substitute adopted, read first and second times, and ordered to General File

Assembly bill No. 179, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and to re-enact former laws—ordered engrossed and read third time.

Assembly bill No. 202, an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale—ordered engrossed and read third time.

Assembly bill No. 134, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and Acts amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, approved March third, eighteen hundred and sixty-three—amendment adopted, and bill made the special order for Tuesday, February sixteenth, and ordered printed.

The substitute adopted for Assembly bill No. 14 was made the special order for Tuesday, February ninth, and ordered printed.

SPECIAL ORDER.

Assembly bill No. 45, (special order,) an Act for the better protection of the agricultural interests of this State, etc.—was taken up, and made the special order for February fifth, at twelve o'clock M.

Assembly bill No. 170, (also special order,) an Act concerning the Insane Asylum of the State of California—laid on the table.

There being no further business, on motion of Mr. Littlefield, at twelve o'clock and eight minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 3d, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence was granted to Mr. Scott of Alameda.

Mr. Tukey had leave to be recorded as present at roll call, being absent at that time.

Journal of yesterday read and approved.

Mr. Perley presented a communication from T. R. Anthony, relative to contracts made by the Trustees of the State Insane Asylum.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 120, an Act to provide for assessing and collecting taxes in Alameda County ;

Also, Assembly bill No. 166, an Act condemning certain streets adjacent to the Insane Asylum, in the City of Stockton, for Asylum purposes ;

Also, Assembly bill No. 183, an Act in relation to the office of the County Superintendent of Common Schools of the County of San Joaquin ;

Also, Assembly bill No. 191, an Act concerning the records of the District Court of the Seventh Judicial District, in and for Solano County.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 200, an Act to create a Board of Water Commissioners in the County of San Bernardino, and to define their duties, have had the same under consideration, and report it back with amendments, and recommend the passage of the same as amended ;

Also, Assembly bill No. 146, an Act to legalize primary elections, and report the same back without recommendation.

CAMPBELL of San Francisco, Chairman.

Assembly bill No. 146, an Act to legalize primary elections, above reported, was recommitted to the San Francisco delegation.

The Speaker presented a statement by Frank M. Pixley, late Attorney-General, in behalf of the commission to dispose of the appropriation in behalf of the widow of Colonel R. Matheson.

The statement was read.

Mr. Martin offered the following resolution :

Resolved, That the thanks of the Assembly be and they are hereby tendered to the members of the commission established in eighteen hundred and sixty-three to superintend the disbursement of the appropriation of five thousand dollars made by the last Legislature to the family of the late Colonel Matheson, for the faithful and prompt manner in which said commission discharged the duties intrusted to them.

Adopted.

Mr. Cherry made the following report :

MR. SPEAKER :—The San Francisco delegation, to whom was referred Assembly bill No. 92, an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two,

have had the same under consideration, and report it back with an amendment, and recommend its passage as amended ;

Also, Assembly bill No. 93, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, report it back with amendments, and recommend its passage as amended ;

Also, Assembly bill No. 114, an Act concerning the office of County Clerk of the City and County of San Francisco, report it back with an amendment, and recommend its passage as amended.

CHERRY, for Delegation.

Mr. Snyder made the following report :

Mr. SPEAKER :—The Placer County delegation, to whom was referred Senate bill No. 78, an Act to legalize certain records in the office of the Recorder of Placer County, having had the same under consideration, report the same back with the recommendation that it pass.

SNYDER, for Delegation.

RESOLUTIONS.

Mr. Dyer offered the following resolution :

Resolved, That the Engrossing Clerk be and he is hereby authorized to employ Assistants from time to time, as the Committee on Engrossment may direct.

Adopted.

Mr. Badlam offered the following resolution :

Resolved, By the Assembly, the Senate concurring, that the Sergeant-at-Arms of both Houses be and are hereby required to furnish the Governor with all printed bills and the General File of both Houses each day.

Adopted.

Mr. Boulware, Chairman of the Committee on Agriculture, made the following report :

Mr. SPEAKER :—The Committee on Agriculture have had under consideration Assembly bill No. 76, relating to Pounds in San Joaquin County, report the same back to the House, and recommend the same be referred to the San Joaquin delegation.

BOULWARE, Chairman.

The bill above reported was referred as recommended.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
February 3d, 1864. }

Mr. SPEAKER :—The Senate, on yesterday, passed Senate bill No. 39, an Act to amend an Act entitled an Act to regulate proceedings in civil

cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, passed Senate bill No. 81, an Act to amend an Act entitled an Act concerning certified copies of certain instruments in writing, passed April twenty-ninth, eighteen hundred and fifty-seven;

Also, passed Senate bill No. 96, an Act to appropriate money to pay the claim of H. B. Chambers;

Also, passed Senate bill No. 113, an Act to authorize the Board of Supervisors of El Dorado County to sell certain property;

Also, passed Senate substitute for Assembly bill No. 46, an Act to authorize mining companies or corporations to change their principal place of business;

Also, passed Assembly bill No. 65, an Act to authorize the Controller of State to issue duplicate warrant to Amos Adams;

Also, passed Assembly bill No. 47, an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April twentieth, eighteen hundred and sixty-three;

Also, passed Senate substitute for Assembly bill No. 154, an Act amendatory of an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and of the Acts amendatory thereof and supplementary thereto;

Also, indefinitely postponed Assembly bill No. 153, an Act to regulate the revenue from civil actions in the Courts of record in the counties of this State.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 39, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 81, above reported, read first and second times, and referred to the Judiciary Committee.

Substitute for Assembly bill No. 154, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 113, above reported, read first and second times, and referred to the El Dorado delegation.

Senate bill No. 96, above reported, read first and second times, and referred to the Committee on Claims.

Assembly bill No. 46, above reported with Senate substitute, referred to the Committee on Mines and Mining Interests.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Perrin, for an Act to legalize arbitration ;

Also, for an Act to grant to John N. Dudleston and his associates the right to construct and maintain a toll road in Mono County.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Van Schaick, for an Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of

Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and ordered to General File.

By Mr. Devoe, for an Act to fix the compensation of the Assessor of Santa Cruz County.

Read first and second times, and ordered to General File.

By Mr. Kendrick, for an Act to legalize the assessments made in the County of San Diego.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Sepulveda, for an Act amendatory of an Act entitled an Act supplementary to an Act to incorporate the City of Los Angeles, approved February nineteenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Los Angeles delegation.

By Mr. Brown of Amador, for an Act changing the time for holding the County and Probate Courts in the County of Amador.

Read first and second times, and ordered to General File.

By Mr. Wood, for an Act to authorize the sale and conveyance to the North San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. McColliam, for an Act entitled an Act in relation to the waterfront adjacent to Block Number Nine in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Lux, for an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River.

Read first and second times, and referred to the Tuolumne and Calaveras delegations.

By Mr. Owen, for an Act supplementary to and amendatory of the Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools.

Read first and second times, laid on the table, and ordered printed.

By Mr. Dodson, for an Act to authorize the County Treasurers of the Counties of Napa, Lake, and Mendocino, to collect and receive certain public moneys.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Mebius, for an Act to confirm and legalize certain assessment rolls of the City and County of San Francisco, and to provide for the collection of the delinquent taxes therein ;

Read first and second times, and referred to the San Francisco delegation.

Also, for an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven, and an Act amendatory thereof and supplementary thereto, approved April nineteenth, eighteen hundred and fifty-nine.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Perrin, for an Act for the relief of Miss M. H. Bowne.

Read first and second times, and referred to the Committee on Claims.

By Mr. Hittell, for an Act to provide for the collection of statistics.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Wright, for an Act to preserve the rights of parties existing on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing concerning forcible entries and unlawful detainers.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—read third time, and passed.

Assembly bill No. 171, an Act to fix the time of holding the County Court and Probate Court in the County of Marin—read third time, and passed.

SPECIAL ORDER.

Assembly bill No. 103, (special order,) an Act to prohibit gaming.

Postponed until February ninth.

On motion of Mr. Wilcox, ordered printed.

GENERAL FILE RESUMED.

Assembly bill No. 102, an Act supplementary to an Act to prohibit noisy and barbarous amusements on the Christian Sabbath.

Mr. Winchester moved to indefinitely postpone the bill.

Mr. Beaman moved the previous question.

The House so ordered.

On the question to indefinitely postpone, the ayes and noes were demanded, by Messrs. Erkson, McColliam, and Watson, and taken, with the following result:

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hubbard, Hunt, Jenison, Johnson, Littlefield, Lux, McColliam, Owen, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, Whallon, Wood, and Wright—49.

NOES—Messrs. Brown of Tulare, Clark, Dickinson, Hill, Hittell, Hoag, Kendrick, Kewen, Langdon, Möbius, Parker, Scott of Siskiyou, Sepulveda, Walker of Fresno, Wilcox, and Wiley—16.

So the bill was indefinitely postponed.

SECOND SPECIAL ORDER.

At twelve o'clock M., the House considered the second special order of

the day, Assembly bill No. 23, an Act relative to fees and salaries of officers.

Mr. Hittell moved to lay the bill on the table.

Lost.

Mr. Wiley moved to indefinitely postpone.

Pending consideration of which, Mr. Owen moved to lay the whole subject matter on the table.

On which, Messrs. Dodson, Wilcox, and Sumner, called for the ayes and noes, and the motion was lost, by the following vote :

AYES—Messrs. Alley, Brown of Amador, Dyer, Erkson, Gray, Hittell, Langdon, Owen, Perley, Rule, Snyder, Sumner, Van Leuven, Van Schaick, Wason, Winchester, and Wright—17.

NOES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Tulare, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Fraser, Hartsough, Hill, Hoag, Hubbard, Hunt, Jenison, Johnson, Kewen, Littlefield, Lux, Martin, Mebius, Parker, Redfield, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Walker of Fresno, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wood—16.

After further discussing the motion to indefinitely postpone the bill, Mr. Owen again moved to lay the bill on the table.

Lost.

On the motion to indefinitely postpone the bill, Messrs. Martin, Cherry, and Walker, called for the ayes and noes, which were taken, with the following result :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Brown of Amador, Buf-fum, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dutton, Erkson, Fraser, Hartsough, Hubbard, Hunt, Jenison, Kendrick, Kewen, Langdon, Littlefield, Lux, Mebius, Parker, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Sumner, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, Wood, and Wright—52.

NOES—Messrs. Boulware, Brown of Tulare, Dow, Gray, Hill, Hittell, Hoag, Johnson, Martin, McColliam, Owen, Perley, Perrin, Smith of Nevada, Teare, and Winchester—16.

Assembly bill No. 131, an Act to amend an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and sixty-one.

Mr. Campbell of San Francisco raised a point of order, that another bill, identical with the one under consideration, had been indefinitely postponed during the present session, consequently, this bill was out of order.

The Chair decided the point of order well taken.

Assembly bill No. 198, an Act to amend an Act entitled an Act to prohibit the carrying of concealed weapons—ordered engrossed and read third time.

Assembly bill No. 199, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and of the several Acts amendatory thereof—indefinitely postponed.

Assembly bill No. 182, an Act in relation to the Board of Education of the City of Sacramento—laid on the table.

Assembly bill No. 181, an Act amendatory of and to extend the provisions of an Act entitled an Act authorizing John M. Sharp and his associates to construct and maintain a toll road from the eastern bank of the Sacramento River, near Georgiana Slough, to the lower Stockton road, near Benson's Ferry, in the County of Sacramento, approved April twenty-fourth, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento—read third time, and passed.

Mr. Winchester moved to suspend the rules, and consider the Governor's message.

Carried.

The message was read, as follows:

MESSAGE FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 2d, 1864. }

To the Assembly of the State of California:

I herewith return, without my approval, Assembly bill No. 72, an Act to amend an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

The bill proposes to vest in the County, Probate, and Police Courts of the City and County of San Francisco the power of committing insane persons to the Asylum. The natural result of this would be that the Police Court would order nearly all the commitments, from the fact that, being in session every day, it would be less trouble to take a patient before it than before either of the other Courts.

Section fifteen of the Act of April twenty-fifth, eighteen hundred and sixty-three, provides that the County Judge shall cause inquiry to be made as to the ability or inability of the insane person to bear the expense of keeping such person in the Asylum, and empowers the Court to appoint Guardians for such persons, to take care of and manage their property. This power, which can only be exercised properly by the committing Judge, can, if so exercised, be made to relieve the State of the expense of a large number who would otherwise be a State charge. It could not be exercised by the Police Court, for that is not a Court of record. In view of this, I think the committing power should not be granted to Police Judges, even in cases when the County Judge is absent or unable to perform the duties, as it is granted under the existing law. It would seem that the Probate Judge of the City and County of San Francisco would be the proper person to perform the duties contemplated in the bill, and in case of his disability from any cause to perform such duties, the County Judge should be authorized to act in the matter.

The Managers of the Asylum complain that the manner of committing patients is loosely conducted, and say that more scrutiny by the Judges is imperatively demanded. If this be so, the more system that can be attained in commitments the better it will be for the best interests of the Asylum, as well as the State.

FRED'K. F. LOW,
Governor.

The Speaker announced the question, "Shall the bill pass, notwithstanding the objections of the Governor?"

On which, the ayes and noes were called, and taken, with the following result:

AYES—None.

NOES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Chappell, Cherry, Devoe, Dickinson, Dodson, Dutton, Dyer, Erkson, Fraser, Gray, Hart-sough, Hittell, Hoag, Hubbard, Jenison, Johnson, Kendrick, Littlefield, Lux, Martin, McColliam, Mebius, Perley, Perrin, Rhoads, Rule, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Wason, Watson, Weston, Wiley, Wilsey, Winchester, Whallon, Wood, and Wright—51.

So the Governor's objections were sustained.

Mr. Cherry moved to suspend the rules for the purpose of taking up Assembly bill No. 114, an Act concerning the office of County Clerk of the City and County of San Francisco.

Carried.

The bill was considered, amendment of committee adopted, rules suspended, considered engrossed, read third time, and passed.

On motion of Mr. Dutton, at three o'clock and fifteen minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 4th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Scott of Alameda obtained leave to be recorded as present at roll call this morning, he being absent at that time.

PETITIONS.

Mr. Ludlow and Mr. Brown of Amador presented petitions of certain citizens in the proposed new County of Alpine, relative to the location of the county seat thereof.

Referred to the delegations having charge of the bill to organize said new county.

Mr. Parker presented a petition of the Supervisors, County Judge, and District Attorney of Calaveras County, relative to a proposed change in the militia law.

Referred to the Committee on Military Affairs.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 117, entitled an Act to exempt from forced sale certain property ;

Also, Assembly bill No. 133, entitled an Act to amend an Act entitled an Act to amend an Act relative to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 202, entitled an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale.

DYER, Chairman.

Mr. Dow made the following report :

Mr. SPEAKER :—The El Dorado delegation, to whom was referred Senate bill No. 113, an Act to authorize the Board of Supervisors of El Dorado County to sell certain property, report it back, and recommend the passage of the same.

DOW, for Delegation.

Mr. Scott of Alameda made the following report :

Mr. SPEAKER :—The special committee, to whom was referred Senate concurrent resolution No. 1, have had the same under consideration, report it back to the House, and recommend the passage of the same.

SCOTT of Alameda.
WRIGHT,
CHERRY.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
February 4th, 1864. }

Mr. SPEAKER :—The Senate yesterday passed Assembly bill No. 94, an Act to change the name of George Andrews Hatch to George Andrews Pavey, and confirm his adoption by William Henry Pavey ;

Also, same day, passed Senate bill No. 57, an Act supplementary to an Act entitled an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty, approved April eighteenth, eighteen hundred and sixty-three ;

Also, same day, passed substitute for Senate bill No. 70, an Act to authorize the removal of the office and principal place of business of mining and other corporations from the Town of Aurora in the Territory of Nevada, to the City of San Francisco or other places in the State of California.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 57, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 70, above reported, read first and second times, and referred to the Judiciary Committee.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Perley, for an Act to appropriate money to pay the claim of T. R. Eldredge and Manuel Torres for translating the laws into Spanish.

Read first and second times, and referred to the Committee on Claims.

By Mr. Hill, for an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty ;

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hartsough, for an Act repealing an Act entitled an Act concerning the office of County Clerk in the County of Yolo, approved April fourteenth, eighteen hundred and sixty-three, and restoring the former Act.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wilsey, for an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to the vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers and provide for their terms of office.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hittell, for an Act relative to the reports of the State officers.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Buffum, for an Act to prevent the destruction of timber on the Public Lands in this State.

Read first and second times, and referred to the Committee on Public Lands.

By Mr. Perrin, for an Act to grant to John N. Dudleston and his associates and assigns the right to construct and maintain a toll road in Mono County.

Read first and second times, and referred to the Tuolumne and Mono delegation.

GENERAL FILE.

Assembly bill No. 166, an Act condemning parts of certain streets adjacent to the Insane Asylum in the City of Stockton for Asylum purposes—read third time, and passed.

Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved

May seventeenth, eighteen hundred and sixty-one—read third time, and passed.

Assembly bill No. 171, an Act to fix the time of holding the County Court and Probate Court in the County of Marin—read third time, and passed.

Assembly bill No. 183, an Act in relation to the office of the County Superintendent of Common Schools of the County of San Joaquin—read third time, and passed.

Assembly bill No. 200, an Act to create a Board of Water Commissioners in the County of San Bernardino, and to define their duties—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 92, an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 93, an Act to amend an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 210, an Act to amend an Act entitled an Act concerning estrays, and animals found running at large in the County of Santa Clara, passed April twenty-fourth, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 78, an Act to legalize certain records in the office of the Recorder of Placer County—rules suspended, read third time, and passed.

Assembly bill No. 213, an Act changing the time for holding the County and Probate Courts in the County of Amador—ordered engrossed and read third time.

Assembly bill No. 218, an Act to fix the compensation of the Assessor of Santa Cruz County—ordered engrossed and read third time.

On motion of Mr. Cherry, Senate concurrent resolution No. 1 and accompanying report were made the special order for Tuesday, February ninth, at twelve o'clock M.

FURTHER MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
February 4th, 1864. }

MR SPEAKER:—I am instructed to inform the Assembly that the Senate, this day, adopted Senate concurrent resolution No. 24, inviting the State Geologist to address the Legislature;

Also, passed Senate bill No. 165, an Act in relation to the Board of Education of the City of Sacramento

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House adopted Senate concurrent resolution No. 24, above reported.

Senate bill No. 165, above reported, read first and second times, rules suspended, read third time, and passed

SPECIAL ORDER.

At twelve o'clock M., the House considered the special order of the day, Assembly bill No. 59, an Act to divide the State into Congressional Districts, and to fix the time to elect Representatives to Congress.

Mr. Lux demanded the previous question.

Sustained.

On adopting the amendment proposed by the committee, to amend section two by inserting, after "Mariposa," the word "Mono," the ayes and noes were demanded, by Messrs. Wright, Devoe, and Hittell, and the House refused to adopt, by the following vote:

AYES—Messrs. Beaman, Cherry, Clayton, Devoe, Dodson, Dutton, Erkson, Gray, Hartsough, Hittell, Johnson, McColliam, Mebius, Owen, Perley, Redfield, Rhoads, Scott of Alameda, Van Leuven, Van Schaick, Wason, and Wright—23.

NOES—Messrs. Allen, Alley, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Clark, Dickinson, Dow, Dyer, Fraser, Hill, Hoag, Hunt, Hirst, Jenison, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Personette, Pratt, Rule, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Whallon—15.

On adopting the second amendment, to amend section three, by striking out "Mono, Nevada, and Placer," and inserting, before "Contra Costa," the following: "Marin, Sonoma, Napa, Solano," the ayes and noes were demanded, by Messrs. Wright, Scott of Alameda, and Weston, and the House refused, by the following vote:

AYES—Messrs. Beaman, Cherry, Clayton, Devoe, Dutton, Erkson, Gray, Hartsough, Hittell, Hoag, Johnson, Kewen, McColliam, Mebius, Owen, Perley, Redfield, Rhoads, Scott of Alameda, Smith of Sonoma, Van Leuven, Van Schaick, Wason, Whallon, and Wright—25.

NOES—Messrs. Allen, Alley, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Clark, Dickinson, Dodson, Dow, Dyer, Fraser, Hill, Hunt, Hirst, Jenison, Kendrick, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Personette, Pratt, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Watson, Weston, Wilcox, Wiley, Wilsey, and Winchester—43.

†

On adopting the third amendment, to amend section four, by striking out "Marin, Sonoma, Napa, and Solano," and inserting, after "Sierra," the following: "Nevada, Placer," Messrs. Scott of Alameda, Perley, and Wason, demanded the ayes and noes, and the House refused, by the following vote:

AYES—Messrs. Beaman, Brown of Tulare, Erkson, Gray, Hartsough, Hittell, Hoag, McColliam, Mebius, Perley, Redfield, Rhoads, Scott of Alameda, Van Leuven, Van Schaick, Wason, Whallon, and Wright—18.

NOES—Messrs. Allen, Alley, Boulware, Brown of Amador, Buffum,

Campbell of El Dorado, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Fraser, Hill, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Personette, Pratt, Rule, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Watson, Weston, Wilcox, Wilsey, and Winchester—48.

The bill was then ordered engrossed.

Mr. Chappell moved that the rules be suspended, the bill considered engrossed, read third time, and passed.

On which, the ayes and noes were demanded, by Messrs. Whallon, Fraser, and Van Schaick, and taken, with the following result:

AYES—Messrs Allen, Alley, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Clark, Devoe, Dickinson, Dodson, Dow, Dyer, Fraser, Hill, Hittell, Hunt, Hirst, Jenison, Kendrick, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Pratt, Redfield, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Watson, Weston, Wilcox, Wiley, Wilsey, and Winchester—44.

NOES—Messrs. Beaman, Cherry, Clayton, Dutton, Erksan, Hartsough, Hoag, Johnson, Kewen, McColliam, Mebius, Owen, Perley, Rhoads, Scott of Alameda, Smith of Sonoma, Van Leuven, Van Schaick, Walker of Fresno, Wason, Whallon, and Wright—22.

So the House so ordered.

Mr. Hittell gave notice of a motion to reconsider.

There being no further business, on motion of Mr. Beaman, at two o'clock and thirty-two minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 5th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Lux moved to reconsider the vote by which, on yesterday, the House passed Assembly bill No. 59, an Act to divide the State into Congressional districts, and fix the time to elect Representatives to Congress.

Mr. Wilcox moved that the motion to reconsider be indefinitely postponed, and thereupon also moved the previous question.

On sustaining the previous question, the ayes and noes were demanded, by Messrs Owen, Wiley, and Beaman, and the House so ordered, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Brown of Amador, Buffum, Campbell of El Dorado, Chappell, Clark, Devoe, Dickinson, Dodson, Dow, Dyer, Fraser, Hill, Hubbard, Hunt, Hirst, Kendrick, Kewen, Langdon, Litchfield, Ludlow, Lux, Martin, Parker, Personette, Pratt, Scott of Siskiyou, Snyder, Sumner, Teare, Tukey, Watson, Weston, Wilcox, Wiley, and Wilsey—38.

NOES—Messrs. Beaman, Brown of Tulare, Clayton, Dutton, Erkson, Gray, Hartsough, Hoag, Jenison, Johnson, McColliam, Mebius, Owen, Perley, Perrin, Rhoads, Rule, Scott of Alameda, Smith of Sonoma, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Whallon, Wood, and Wright—27.

On the question of the indefinite postponement of the motion to reconsider, Messrs. Van Schaick, Tukey, and Rhoads, demanded the ayes and noes, and the motion prevailed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Brown of Amador, Buffum, Campbell of El Dorado, Chappell, Clark, Devoe, Dickinson, Dodson, Dow, Dyer, Fraser, Hubbard, Hunt, Hirst, Jenison, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Personette, Redfield, Rule, Scott of Siskiyou, Sepulveda, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Watson, Weston, Wilcox, Wiley, and Wilsey—42.

NOES—Messrs. Beaman, Brown of Tulare, Clayton, Dutton, Erkson, Gray, Hartsough, Hittell, Hoag, Johnson, McColliam, Mebius, Owen, Perley, Rhoads, Scott of Alameda, Smith of Sonoma, Van Leuven, Van Schaick, Wason, Whallon, and Wright—22.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento ;

Also, Assembly bill No. 114, an Act concerning the office of County Clerk of the City and County of San Francisco ;

Also, Assembly bill No. 179, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and to re-enact former laws ;

Also, Assembly bill No. 181, an Act amendatory of and to extend the provisions of an Act entitled an Act authorizing John W. Sharp and his associates to construct and maintain a toll road from the eastern bank of the Sacramento River, near Georgiana Slough, to the lower Stockton road, near Benson's Ferry, in the County of Sacramento, approved April fourteenth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 198, an Act to amend an Act entitled an Act to prohibit the carrying of concealed weapons.

DYER, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER:—The Committee on Enrolment, to whom was referred

a resolution in relation to an Assistant Journal Clerk, beg leave to report that, in their opinion, the time has now come when such Assistant is necessary, and we therefore recommend the passage of the following resolution :

Resolved, That the Journal Clerk of the Assembly be and he is hereby authorized and empowered to appoint an Assistant, at the compensation allowed by law.

REDFIELD, Chairman.

Adopted

Mr. Wilcox, Chairman of the Committee on Public Lands, made the following report :

Mr. SPEAKER:—Your Committee on Public Lands, to whom was referred Assembly bill No. 229, have had the same under consideration, and report the same back, with the recommendation that it pass.

WILCOX, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

Mr. SPEAKER:—Your Committee on Ways and Means, to whom was referred Assembly bill No. 211, an Act to legalize the assessments made in the County of San Diego, have had the same under consideration, and ask leave to report it back, with a recommendation that it pass.

ALLEN, Chairman.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report :

Mr. SPEAKER:—Your Committee on Hospitals, to whom was referred Assembly bill No. 139, an Act to promote the study of anatomy, have had the same under consideration, and report the same back, and recommend its passage.

BUFFUM, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER:—The Committee on Claims, to whom was recommitted the petition of George Nelson, have had the same under consideration, and beg leave to report that we believe it to be a just claim, and recommend that it be allowed.

CAMPBELL of El Dorado, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

Mr. SPEAKER:—The Committee on Military Affairs, to whom was referred a resolution relative to appointment of an Acting Sergeant-Major in the cavalry regiment stationed at Camp Union, in this city, beg leave to report that they have obeyed the instructions of that resolution, and that they find nothing in the circumstances attending that appointment

of an extraordinary or unusual character, and that the insubordination and breach of military rules exhibited on the part of some of the men in that camp was, in the opinion of your committee, unjustifiable and deserving of the enforcement of such discipline as the rules of the service provide, and the Federal military authorities are fully competent to administer in such cases, without the aid of the State government.

WOOD, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 206, an Act to authorize R. C. Kirby and associates to construct a turnpike road leading from Santa Cruz to some point on the San Francisco and San José Railroad, have had the same under consideration, and beg leave to report the same back with amendments, and recommend the passage of the same as amended.

LUDLOW, Chairman.

Mr. Martin made the following report :

MR. SPEAKER :—Your special committee have had under consideration Assembly bill No. 175, an Act concerning legal advertisements, and report the same back, with the recommendation that it do not pass.

MARTIN,
HUBBARD,
OWEN,
SCOTT of Alameda.

Mr. Sepulveda made the following report :

MR. SPEAKER :—The Los Angeles delegation, to whom was referred Assembly bill No. 212, an Act amendatory of an Act entitled an Act supplementary to an Act to incorporate the City of Los Angeles, approved February nineteenth, eighteen hundred and sixty-two, have had the same under consideration, report the same back with an amendment, and recommend its passage as amended.

SEPULVEDA,
KEWEN.

Mr. Watson made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred Assembly bill No. 124, an Act to provide for the support of the Fire Department of the City of Sacramento, and the petition of H. Whittell in reference to certain Sacramento County bonds, beg leave to report the first, with the recommendation that it pass, and relative to the latter, that a bill has been prepared for the relief of the said Whittell and others who may be similarly situated; all of which is respectfully submitted.

WATSON, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Owen offered a concurrent resolution that the Enrolling Clerk of the Assembly be authorized to correct an error in Assembly bill No. 192.
Adopted.

On motion of Mr. Wood, the report of the Committee on Military

Affairs, and the resolution relating to the appointment of a Sergeant-Major at Camp Union, were considered

The report was adopted, and the resolution indefinitely postponed.

Mr. Wiley offered a preamble and concurrent resolution relative to the present lamentable condition of the Counties of Humboldt, Klamath, and Trinity, in consequence of Indian hostilities, and requesting the Governor to provide military protection.

Mr. Wright moved to refer to Committee on Military Affairs.

Lost.

On the motion to adopt the resolution, the ayes and noes were demanded, by Messrs. Wiley, Tukey, and Weston, and taken, with the following result :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hill, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Littlefield, Lux, Martin, McColliam, Mobius, Parker, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wood—65.

NOES—Mr. Winchester—1.

So the resolutions were adopted.

The rules were suspended, and Mr. Wright had leave to introduce a bill for an Act amendatory and supplementary to an Act, passed March twenty-third, eighteen hundred and fifty, to regulate elections.

Read first and second times, and referred to the Committee on Elections, and ordered printed.

Mr. Jenison also had leave to introduce a bill for an Act to authorize Lucien B. Healy to sell certain real estate.

Read first and second times, and referred to the Tehama delegation.

MESSAGE FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
February 4th, 1864. }

MR. SPEAKER :—The Senate this day passed Assembly bill No. 71, an Act to provide for the collection of delinquent taxes in the County of Sierra ;

Also, passed Assembly bill No. 192, an Act to confer further powers upon the Common Council of the City of San José ;

Also, passed Assembly bill No. 180, an Act to fix the salary of the Superintendent of Common Schools of Placer County ;

Also, passed Assembly bill No. 162, an Act to amend an Act entitled an Act to amend section eighty of an Act entitled an Act to provide for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, amended and passed Assembly bill No. 130, an Act to grant the

right to construct a turnpike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in the County of Amador, and ask the concurrence of the Assembly in such amendments;

Also, this day, passed Senate bill No. 15, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof;

Also, passed Senate bill No. 121, an Act to appropriate money to pay the claim of George W. Gordon;

Also, passed Senate bill No. 104, an Act to repeal an Act entitled an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties in this State, and to indemnify citizens of this State for losses sustained by Indian depredations, passed April twenty-seventh, eighteen hundred and sixty-three.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
February 5th, 1864. }

Mr. SPEAKER :—The Senate, yesterday, passed Assembly bill No. 100, an Act to authorize the Board of Supervisors of Tulare County to allow the claim of Robert Glass;

Also, passed Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct a turnpike road from the Town of San Rafael to San Quentin, and to collect toll for travel thereon;

Also, passed Senate bill No. 161, an Act to authorize the Board of Supervisors of the County of Del Norte to issue certain bonds and to provide for the payment of the principal and interest thereof;

Also, passed Senate bill No. 182, an Act to provide for the time of holding the County Court and Probate Court in the County of Nevada;

Also, on the third instant, refused to pass Assembly bill No. 75, an Act to provide for the disposition of moneys collected under an Act entitled an Act concerning passengers arriving in the ports of the State of California, approved May twelfth, eighteen hundred and fifty-two, and Acts amendatory thereof and supplementary thereto;

Also, this day, passed Senate bill No. 197, an Act to authorize the Assessor of Tulare County to complete the assessment thereof and file a supplementary tax list.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 182, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 197, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 15, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 104, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 161, above reported, read first and second times, and referred to the delegation from Del Norte.

Assembly bill No. 75, above reported with Senate amendments, referred to the Committee on Ways and Means.

The House concurred in Senate amendments to Assembly bill No. 130, above reported.

Senate bill No. 121, above reported, read first and second times, and referred to the Committee on Claims.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 84, an Act to prevent the trespassing of animals upon private property in the Counties of Santa Barbara, San Luis Obispo, and Monterey;

Also, Assembly bill No. 91, an Act to change the name of James Fitzpatrick;

Also, Assembly bill No. 47, an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April twentieth, eighteen hundred and sixty-three;

Also, Assembly bill No. 127, an Act amendatory of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 110, an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and sixty-three;

Also, Assembly bill No. 156, an Act to fix the compensation of the Board of Supervisors of Yolo County;

Also, Assembly bill No. 89, an Act in relation to the office of Assessor of the County of San Francisco;

Also, Assembly bill No. 65, an Act to authorize the Controller of State to issue a duplicate warrant to Amos Adams;

And this fifth day of February, eighteen hundred and sixty-four, presented the same to the Governor for his approval.

REDFIELD, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Allen, for an Act relative to Justices of the Peace in the City of Stockton.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hill, for an Act to authorize the Guardian of Charles Thompson and Albert Thompson to sell and convey their real estate.

Read first and second times, and referred to the Santa Barbara delegation.

By Mr. Pratt, for an Act to divide the County of Placer into Supervisor and Revenue Districts, to provide for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith.

Read first and second times, and referred to the Placer delegation.

By Mr. McColliam, for an Act authorizing Joseph Galloway and his associates to build a dry dock.

Read first and second times, and referred to the 'Committee on Commerce and Navigation.

By Mr. Hoag, for an Act concerning roads and highways in certain counties of this State.

Read first and second times, and referred to the Sonoma and Marin delegations.

By Mr. Wood, for an Act to amend an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Badlam, for an Act to amend an Act entitled an Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one, and the subsequent Acts amendatory thereof, approved May fourteenth, eighteen hundred and sixty two, and April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and ordered to General File.

By Mr. Watson, for an Act to authorize the Board of Supervisors of Sacramento County to fund certain claims.

Read first and second times, and referred to the Sacramento delegation.

SPECIAL ORDER.

At one o'clock the House took up the special order of the day, Assembly bill No. 45, an Act for the better protection of the agricultural interests of this State, and the more effectual prevention of the trespassing of animals upon private property.

On motion of Mr. Martin, the House first considered the amendment offered to section seven of the bill.

Mr. Kewen moved to fill the blank in section seven as follows:

"SEC. 7. None of the provisions of this Act shall apply to the Counties of Humboldt, Santa Clara, Calaveras, Monterey, Tulare, Fresno, Stanislaus, Merced, San Luis Obispo. Santa Barbara, Los Angeles, San Bernardino, San Diego, Sierra, San Joaquin, Tuolumne, Santa Cruz."

For which Mr. Langdon offered the following substitute:

In section seven, strike out the words "none of the provisions of;" and also after the word "apply," insert only "Sacramento, Solano, Marin, Butte, Yolo, Mono, and Townships Numbers One, Two, Three, Nine, and Ten, in the County of Placer."

Adopted.

Mr. Walker of Alameda moved to include the County of Alameda.

On which, Messrs. Scott and Walker of Alameda, and Winchester, demanded the ayes and noes, and the House refused, by the following vote:

AYES—Messrs. Badlam, Buffum, Chappell, Hill, Hirst, Jenison, Johnson, Martin, Parker, Personette, Pratt, Rule, Sumner, Tukey, Walker of Alameda, Wason, Weston, Wiley, Winchester, and Whallon—20.

NOES—Messrs. Allen, Beaman, Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erksan, Fraser, Hartsough, Hittell, Hubbard, Langdon, McColliam, Mebius, Perley, Perrin, Redfield, Rhoads, Scott of Alameda,

Smith of Sonoma, Snyder, Teare, Van Leuven, Van Schaick, and Walker of Fresno—32.

Mr. Snyder offered the following :

Amend section one by inserting after the word "jenny," in the second line, the words "sheep, goats, and swine."

Lost.

Mr. Teare withdrew an amendment offered by him to strike out "whether," in third line, section one, and insert "if" in its place; also, same line, after the word "fence," strike out the words "or not"

An amendment to section two, line three, instead of the words "describing the animals," insert "containing a description of the animals, including their marks and brands," was adopted.

Mr Sumner offered the following: Amend section two by adding as follows:

"*Provided*, that if animals taken up under the provisions of this Act shall have a brand or mark legally recorded in the county where taken up, notice for ten days shall be posted at the County Court-house of such county."

Lost.

Mr. Watson moved to amend section three by adding as follows :

"It shall be the duty of any Constable, except City Constables, at the request of the person or persons damaged, to seize and take possession of any animal named in the first section of this Act; and for all services performed in taking possession of and keeping such animal or animals, he shall be entitled to the same fees and charges as are allowed therefor by this Act. When any animal seized under this Act shall be brought to or placed in the custody of the Constable for the township wherein the seizure was made, it shall be his duty to receive and keep it until disposed of as herein provided; and in such case he shall be entitled to the fees for seizing, and also to the compensation for taking care of and keeping said animal that the person damaged would be entitled to."

Adopted.

Mr. Wason moved to add to section four, "The provisions of section four of this Act shall not apply to Solano County."

Adopted.

Mr Martin offered the following: Amend section five by adding as follows:

"*Provided*, that animals having a brand legally recorded in this State may be redeemed at any time by the owner or his assignee, on paying to the party who may become owner the cost and charges, together with the price of purchase and legal interest."

Lost.

Mr. Martin offered an amendment to section eight: Strike out "April," and insert "March."

Lost.

Mr. Boulware moved to strike out the enacting clause of the bill.

Lost.

Mr. Wason moved to reconsider the vote whereby the addition to section three was adopted.

Carried.

Mr. Wason moved that the amendment offered by Mr. Watson be adopted as section four, and the remaining sections renumbered in order.

Adopted.

Mr. Watson moved to amend section five, line five, by striking out "four," and inserting "five."

Lost.

Mr. Snyder moved to substitute "fifty cents"

Lost.

Mr. Langdon offered the following: Insert after the word "allowed," the words "*provided*, that the Justice shall pay the expense of publishing."

Mr. Snyder offered the following substitute: Strike out "and for this he shall be entitled to a fee of four dollars," and insert "the cost of which shall be allowed."

Adopted.

On motion of Mr. Wiley, the rules were suspended, the bill considered engrossed, read third time, and passed.

Mr. Dodson proposed to amend the title as follows: Insert after the word "interests," the words "in certain counties;" also, strike out the word "of," near the end of the first line, and insert the word "in," so that the title will read "An Act for the better protection of the agricultural interests in certain counties in this State," etc.

Adopted.

The rules were suspended for the consideration of the following

MESSAGES FROM THE SENATE.

SENATE CHAMBER,
February 5th, 1864. }

MR. SPEAKER:—The Senate, this day, concurred in Assembly concurrent resolution No. 25, relative to furnishing his Excellency Governor Low with copies of all printed bills, and General File of both Houses each day;

Also, concurred in Assembly concurrent resolution No. 26, concerning the correction of a clerical error.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
February 5th, 1864. }

MR. SPEAKER:—The Senate, this day, passed Senate bill No. 115, an Act to incorporate the Town of Santa Barbara;

Also, passed Senate bill No. 87, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, Marsh, and Tide Lands donated to this State by Act of Congress, approved April eleventh, eighteen hundred and sixty-two.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 115, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 87, above reported, read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

On motion of Mr. Wiley, at three o'clock and forty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 6th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Leave of absence for one day was granted to Mr. Ludlow, for two days to Mr. Gray, and for four days to Mr. Wright.

REPORTS.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Senate bill No. 39, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof, report the same back, with recommendation of indefinite postponement;

Also, Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two, with amendments, and recommend the passage of the same as amended;

Also, Assembly bill No. 230, an Act to repeal an Act entitled an Act to organize townships and regulate their powers and duties, and submit the same to vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers, and to provide for their terms of office, and recommend the passage thereof;

Also, Assembly bill No. 228, an Act repealing an Act entitled an Act concerning the office of County Clerk in the County of Yolo, approved April fourteenth, eighteen hundred and sixty-three, and restoring former Acts, report the same back, with an amendment, and recommend its passage as amended;

Also, Assembly bill No. 154, an Act supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred

and fifty, together with the Senate substitute for the same, and beg leave respectfully to recommend that the Assembly refuse to concur in the passage of the substitute;

Also, substitute for Senate bill No. 70, an Act to authorize the removal of the office and principal place of business of mining and other corporations from the Town of Aurora, in the Territory of Nevada, to the City of San Francisco, or other places in the State of California, and recommend the passage of the same;

Also, Senate bill No. 81, an Act to amend an Act entitled an Act concerning certified copies of certain instruments in writing, passed April twenty-ninth, eighteen hundred and fifty-seven, and recommend the passage of the same.

CAMPBELL of San Francisco, Chairman.

Mr. Weston, from the majority of the Hospital Committee, made the following report :

MR. SPEAKER:—The majority of the Hospital Committee report that, in the performance of their duties, they visited the State Reform School on the twenty-fifth of December, eighteen hundred and sixty-three, the object being to inquire into the sanitary condition of the Institution, also the moral and intellectual training of the pupils.

After careful investigation and examination of the health bill of its inmates, kept by the Superintendent, we do not find those evidences of unhealthiness which common report assigns to the location of the State Reform School. True, there have been several cases of fever, but, mild in their type, they required but little medical treatment, and detained the patients but one or two days from their ordinary duties. In fine, we are of the opinion that the site of the Institution is as healthy as that of others situated in the valley districts.

At the time of the visit the children, eighteen in number, were all enjoying good health, cleanly clothes in good order, but giving indications of much use. Their food appeared to be of good quality, wholesome, and well prepared. In short, everything about the establishment seemed well appointed, except the sleeping apartments and School-room, for which purpose the basement of the building was being used. The necessity for this, however, has arisen from the upper half of the building being left in an unfinished state. We would earnestly call the attention of the Legislature to the necessity of placing the sleeping apartments in a condition for the immediate use of the pupils.

We would recommend the reconstruction of the yard walls, so that, when desirable, the children can be kept within the immediate control of the Superintendent and Teachers.

We have remarked already that their physical condition was good. As to their moral and intellectual training, the same care and foresight, we feel confident, will not be wanting on the part of those who have them under their charge.

We might speak further on other points of interest connected with the Institution, but will leave it for that committee who were appointed for that especial purpose.

All which is respectfully submitted,

WESTON,
HUBBARD,
GRAY,

Majority of Committee.

Mr. Hubbard, Chairman of the Committee on Federal Relations, made the following report :

Mr. SPEAKER :—The Committee on Federal Relations, to whom was referred Assembly concurrent resolution No. 17, relating to the mail route to Southern California, beg leave to report that they have had the same under consideration, and, from all the facts obtained, are of the opinion that the State immigration to Arizona and the Colorado Valley demands that the attention of Government should be drawn to the important matter referred to in said resolution ; they therefore recommend that the preamble and resolution pass.

HUBBARD, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

Mr. SPEAKER :—The Committee on Military Affairs, to whom was referred an Act amendatory of and supplementary to an Act entitled an Act for the relief of the enlisted men of the California volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three, report the same back with amendments, and recommend its passage as amended.

WOOD, Chairman.

Mr. Jenison made the following report :

Mr. SPEAKER :—The Tehama delegation, to whom was referred Assembly bill No. 234, authorizing Lucien B Healy to sell certain real estate, have considered the same, and respectfully report the same back to the House, and recommend its passage.

JENISON, for Delegation.

Mr. Perley made the following report :

Mr. SPEAKER :—The San Joaquin delegation, to whom was referred Assembly bill No. 76, entitled an Act to establish and maintain Public Pounds for the better securing estrays and other stock in the County of San Joaquin, having had the same under consideration, have amended it and report it back to the House, and recommend its passage as amended.

PERLEY, for Delegation.

Mr. Teare made the following report :

Mr. SPEAKER :—The Sacramento, Amador, and El Dorado delegations, to whom was referred Assembly bill No. 163, an Act entitled an Act amendatory and supplementary to an Act entitled an Act more clearly to define the boundaries of Sacramento County, beg leave to report it back, with a recommendation that it do not pass.

TEARE,
BROWN,
TUKEY.

MOTIONS AND RESOLUTIONS.

Mr. Buffum offered the following resolution :

Resolved, That the Assembly grant the use of this Chamber to Hon. D. W. Cheesman, for the purpose of affording him an opportunity to present his views on the currency question, on Monday evening next.

- Mr. Martin moved to amend, by adding :

"And the Agent of the National Banking Firm of San Francisco, together with the merchants and brokers' Agents, be requested to display the weight of their argument on the same evening."

Lost.

Mr. Martin moved to lay the resolution on the table.

On which, the ayes and noes were demanded, by Messrs. Wilcox, Allen, and Winchester, and the House refused, by the following vote :

AYES—Messrs. Badlam, Boulware, Brown of Amador, Clark, Dickinson, Hill, Hittell, Hoag, Johnson, Kendrick, Kewen, Littlefield, Martin, McColliam, Mebius, Personette, Redfield, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Walker of Fresno, Weston, Whallon, and Wood—25.

NOES—Messrs. Allen, Alley, Beaman, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clayton, Devoe, Dodson, Dow, Dutton, Erkson, Fraser, Hartsough, Hubbard, Hunt, Hirst, Jenison, Langdon, Lux, Owen, Parker, Perley, Perrin, Pratt, Rhoads, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Wilcox, Wiley, Wilsey, and Winchester—44.

Mr. Martin offered the following substitute for the resolution :

Resolved, That Honorable D. W. Cheesman be invited to address the citizens of this place on the subject of the National currency, on such evening as he may select, at the Pavilion.

Mr. Dutton moved to amend as follows :

"And it is understood that any other persons are allowed to give their views on the subject under discussion at the same time."

Mr. Beaman moved the previous question.

Sustained.

Mr. Dutton's amendment was lost.

On adopting Mr. Martin's substitute, the ayes and noes were demanded, by Messrs. Martin, Teare, and Hittell and the House refused, by the following vote :

AYES—Messrs. Badlam, Boulware, Brown of Amador, Clark, Dutton, Hittell, Hoag, Johnson, Langdon, Littlefield, Martin, Perrin, Personette, Rule, Scott of Alameda, Smith of Sonoma, Teare, Weston, and Wood—19.

NOES—Messrs. Allen, Alley, Beaman, Brown of Tulare, Buffum, Campbell of San Francisco, Chappell, Cherry, Devoe, Dickinson, Dodson, Dow, Erkson, Fraser, Hubbard, Hunt, Hirst, Jenison, Kendrick, Kewen, Lux, Mebius, Owen, Parker, Perley, Redfield, Rhoads, Smith of Nevada, Snyder, Sumner, Tukey, Van Schaick, Walker of Alameda, Wason, Wilcox, Wilsey, and Winchester—38

The original resolution was then adopted by the following vote, the

ayes and noes being demanded by Messrs. Scott of Siskiyou, Tukey, and Buffum :

AYES—Messrs. Allen, Alley, Beaman, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Devoe, Dodson, Dow, Erkson, Fraser, Hubbard, Hunt, Hirst, Jenison, Langdon, Lux, Owen, Parker, Perley, Personette, Rhoads, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Tukey, Van Leuren, Van Schaick, Walker of Alameda, Wason, Wilcox, Wilsey, and Winchester—35.

NOES—Messrs. Badlam, Boulware, Brown of Tulare, Cherry, Clark, Dickinson, Dutton, Hittell, Hoag, Johnson, Kendrick, Kewen, Littlefield, Martin, Mebius, Perrin, Redfield, Rule, Sepulveda, Smith of Sonoma, Teare, Whallon, and Wood—23.

Mr. Hittell offered the following resolution :

Resolved, That the Assembly Chamber, being merely large enough to accommodate the members of the Legislature, the Sergeant-at-Arms is instructed, in that event, to exclude from that part of the House within the bar all persons who are not members.

Mr. Van Schaick moved to lay on the table.

Carried.

Mr. Wilcox moved to adjourn.

Lost.

Mr. Hirst made a motion relative to a concurrent resolution not in possession of the House.

At one o'clock and thirty-five minutes P. M., on motion of Mr. Kewen, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Monday, February 8th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Teare was granted leave of absence for two days, and all other absentees were granted one day each.

Journal of Saturday last read and approved.

PETITIONS.

Mr. Buffum presented a petition of J. P. Leonard and others, relative to the wanton destruction of pine timber.

Referred to the Committee on Public Lands.

Mr. Brown of Amador presented a petition of citizens of Amador County, in favor of a special State School tax.

Referred to the Committee on Education.

Mr. Scott of Alameda presented a petition of citizens of Alameda County, in favor of a special School tax.

Referred to the Committee on Education.

REPORTS.

Mr. Personette, Chairman of the Committee on Mileage, made the following report:

MR. SPEAKER:—The Committee on Mileage present the following report of mileage due the special committee for visiting the Deaf, Dumb, and Blind Asylum at San Francisco, the special committee for visiting the Reform School near Marysville, and the Committee on Education for visiting the State Normal School:

| Name. | Amount. |
|--|---------|
| COMMITTEE ON DEAF, DUMB, AND BLIND ASYLUM. | |
| Buffum | \$47 80 |
| Hubbard | 47 80 |
| Dodson | 47 80 |
| COMMITTEE ON STATE REFORM SCHOOL. | |
| Boulware | 22 40 |
| Lux | 22 40 |
| Cherry | 22 40 |
| Hubbard | 22 40 |
| Martin | 22 40 |
| COMMITTEE ON EDUCATION. | |
| Owen | 46 80 |
| Tukey | 46 80 |
| Bowman | 46 80 |
| Campbell | 46 80 |
| Hirst | 46 80 |

Resolved, By the Assembly, that the Controller of State is hereby required to draw his warrant on the State Treasurer, payable out of the Contingent Fund of the Assembly:

In favor of A. C. Buffum, for forty-seven dollars and eighty cents;
 In favor of W. B. H. Dodson, for forty-seven dollars and eighty cents;
 In favor of L. Hubbard, for seventy dollars and twenty cents;
 In favor of M. Boulware, for twenty-two dollars and forty cents;
 In favor of F. Lux, for twenty-two dollars and forty cents;
 In favor of J. W. Cherry, for twenty-two dollars and forty cents;
 In favor of S. Martin, for twenty-two dollars and forty cents;
 In favor of J. J. Owen, for forty-six dollars and eighty cents;
 In favor of F. Tukey, for forty-six dollars and eighty cents;
 In favor of J. Bowman, for forty-six dollars and eighty cents;

In favor of J. S. Campbell, for forty-six dollars and eighty cents;
 In favor of R. P. Hirst, for forty-six dollars and eighty cents.

PERSONETTE,
 ALLEN,
 LUX,
 DUTTON.

Adopted.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report:

MR. SPEAKER:—Your Committee on Hospitals, to whom was referred Assembly bill No. 140, an Act for the protection of the public health, have had the same under consideration, and report the same back with an amendment, and recommend its passage as amended.

BUFFUM, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 92, an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two;

Also, Assembly bill No. 196, an Act supplementary to an Act entitled an Act concerning roads and highways in the County of San Mateo, approved April twenty-seventh, eighteen hundred and sixty-three;

Also, Assembly bill No. 200, an Act to create a Board of Water Commissioners in the County of San Bernardino, and to define their duties;

Also, Assembly bill No. 213, an Act changing the time for holding the County and Probate Courts in the County of Amador;

Also, Assembly bill No. 218, an Act to fix the compensation of the Assessor of Santa Cruz County.

DYER, Chairman.

Mr. Snyder, Chairman of the Committee on Mines and Mining Interests, made the following report:

MR. SPEAKER:—Your Committee on Mines and Mining Interests, to whom was referred Assembly bill No. 46, an Act to authorize mining companies or corporations to change their principal place of business, have had the same under consideration, report it back, together with Senate substitute, and recommend the passage of the Senate substitute.

SNYDER, Chairman.

Mr. Lux made the following report:

MR. SPEAKER:—The Tuolumne and Calaveras delegations, to whom was referred Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River, have had the same under consideration, and respectfully report the same back with amendments, and recommend its passage as amended.

LUX, for Delegations.

Mr. Sepulveda made a report in behalf of the Santa Barbara delegation.

Mr. Hill made the following report :

MR. SPEAKER :—The Santa Barbara delegation, to whom was referred Assembly bill No. 236, beg leave to report the same back to the House, with the recommendation that it pass.

HILL, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 6th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 110, an Act to amend section two of an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, passed April fourteenth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 47, an Act to amend section one of an Act entitled an Act to authorize the Treasurer of Alameda County to collect the taxes of said county, approved April nineteenth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 91, an Act to change the name of James Fitzpatrick ;

Also, Assembly bill No. 127, an Act amendatory of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 89, an Act in relation to the office of the Assessor of the City and County of San Francisco ;

Also, Assembly bill No. 156, an Act to fix the compensation of the Board of Supervisors of Yolo County ;

Also, Assembly bill No. 65, an Act to authorize the Controller of State to issue duplicate warrant to Amos Adams ;

Also, Assembly bill No. 84, an Act to prevent the trespassing of animals upon private property in the Counties of Santa Barbara, San Luis Obispo, and Monterey.

FRED'K F. LOW,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Weston offered the following resolution :

WHEREAS, the chairs used in the Assembly Chamber are getting weak in the back ; therefore,

Resolved, That the Sergeant-at-Arms is hereby authorized and required to cause them to be repaired.

Adopted.

Mr. Owen offered the following resolution :

Resolved, That the Act amendatory of the School Law be taken from

the table, and made the special order for Thursday next, at twelve o'clock M.

Adopted..

Mr. Watson had leave to present a petition of citizens of Sacramento County against a repeal of the special contract law.

Referred to the Committee on Federal Relations.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
February 6th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the second instant, passed Senate bill No. 135, an Act relating to powers of attorney ;

Also, on the same day, passed Senate bill No. 111, an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight ;

Also, on the same day, passed Senate bill No. 112, an Act amendatory of and supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved the fifteenth day of April, eighteen hundred and fifty-eight.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
February 6th, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Assembly concurrent resolution No. 27, relative to Indian hostilities.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
February 6th, 1864. }

Mr. SPEAKER :—The Senate yesterday passed Assembly bill No. 148, an Act to authorize the Administrator of the estate of Maria Ygnacia Amador de Alvarado, deceased, to sell and convey real estate ;

Also, passed Assembly bill No. 147, an Act to transfer certain funds ;

Also, passed Assembly bill No. 161, an Act to confer the powers of Commissioners of Deeds, for the time being, upon certain officers of the army of the United States ;

Also, passed Assembly bill No. 187, an Act to change the name of James Kinsman.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 111, above reported, read first and second times, and ordered to General File.

Senate bill No. 112, above reported, read first and second times, and ordered to General File.

Senate bill No. 135, above reported, read first and second times, and referred to the Judiciary Committee.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows:

By Mr. Martin, for an Act to prevent the sale of adulterated quicksilver, and to provide punishment for the same.

By Mr. Clayton, for an Act relative to short hand reporters in District Courts.

By Mr. Redfield, for an Act granting to certain citizens of Brown's Valley, in the County of Yuba, the right to lay down and maintain gas pipes in said town.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Martin, for an Act to provide a special Fund for the construction of the State Capitol Building at the City of Sacramento, and to submit the same to a vote of the people.

Read first and second times, and referred to the Committee on Public Buildings.

Also, for an Act fixing the time of electing Representatives to Congress.

Read first and second times, and referred to the Committee on Elections.

By Mr. Allen, for an Act to grant to certain parties herein named the right to construct and maintain a turnpike or toll road from the Town of Sonora, in Tuolumne County, to the State line, in Mono County.

Read first and second times, and referred to delegations from Tuolumne, Mono, San Joaquin, and Stanislaus.

By Mr. Campbell of San Francisco, for an Act to authorize the Executors of Elias S. Cooper, deceased, to sell and convey real estate.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of Justice of this State.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Buffum, for an Act to authorize the establishment of County and State Medical Societies.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Jenison, for an Act to provide for funding the indebtedness of the County of Tehama.

Read first and second times, and ordered to General File.

By Mr. Van Schaick, for an Act to provide for the payment of the salary of the County Judge of Trinity County.

Read first and second times, and referred to the Trinity delegation.

By Mr. Allen, for an Act to make the salary of the District Attorney of San Joaquin County payable monthly

Read first and second times, and referred to the San Joaquin delegation.

By Mr. Dodson, for an Act to define the legal distances from the

county seat of Lake County to the Capital, Lunatic Asylum, and State Prison.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE.

Assembly bill No. 133, an Act to amend an Act entitled an Act to amend an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 117, an Act to exempt from forced sale certain property—read third time, and passed.

Assembly bill No. 202, an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale—read third time, and passed.

Assembly bill No. 198, an Act to amend an Act entitled an Act to prohibit the carrying of concealed weapons—read third time, and passed.

Senate bill No. 113, an Act to authorize the Board of Supervisors of El Dorado County to sell certain property—rules suspended, read third time, and passed.

Assembly bill No. 179, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and to re-enact former laws—laid on the table.

Assembly bill No. 229, an Act to prevent the destruction of timber on Public Lands of this State—referred to the Committee on Public Lands.

Assembly bill No. 211, an Act to legalize the assessments made in the County of San Diego—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 139, an Act to promote the study of anatomy—ordered to top of file for Tuesday, February sixteenth, and ordered printed.

The Speaker presented the following communication :

SACRAMENTO,
February 8th, 1864. }

HONORABLE WILLIAM H. SEARS,

Speaker of the Assembly :

DEAR SIR :—I have the honor to acknowledge the receipt of your telegram of the sixth instant advising me of the passage, by the Assembly, of a resolution inviting me to address the Legislature in the Assembly Chamber on the currency question on Monday (this) evening, and to advise you of the acceptance of the kindness thus extended me, for which you will please accept and extend to the honorable Legislature my heartfelt appreciation of such courtesy.

Very respectfully, yours, etc.,

D. W. CHEESMAN.

GENERAL FILE RESUMED.

Assembly bill No. 206, an Act to authorize R. C. Kirby and others to construct and maintain a turnpike road from the Town of Santa Cruz to a point on or near the line of the San Francisco and San José railroad, and to charge and collect tolls for travel thereon—returned to file.

Assembly bill No. 175, an Act concerning legal advertisements—indefinitely postponed.

Assembly bill No. 241, an Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one, and the subsequent Acts amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, and April twenty-seventh, eighteen hundred and sixty-three—referred to introducer.

Assembly bill No. 124, an Act to provide for the support of the Fire Department of the City of Sacramento—rules suspended, considered engrossed, read third time, and passed.

Mr. Tukey gave notice of reconsideration.

Assembly bill No. 212, an Act amendatory of an Act entitled an Act supplementary to an Act to incorporate the City of Los Angeles, approved February fourteenth, eighteen hundred and sixty-two—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 39, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and Acts amendatory thereof—indefinitely postponed.

Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 230, an Act to repeal an Act entitled an Act to organize townships and regulate their powers and duties, and submit the same to a vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers, and to provide for their term of office—laid on the table.

Assembly bill No. 228, an Act repealing an Act entitled an Act concerning the office of County Clerk in the County of Yolo, approved April fourteenth, eighteen hundred and sixty-three, and restoring former Acts—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 154, an Act supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty—reported with Senate substitute, which the House refused to adopt.

Senate bill No. 70, an Act to authorize the removal of the office and principal place of business of mining and other corporations from the Town of Aurora, in the Territory of Nevada, to the City of San Francisco, or other places in the State of California—read third time, and passed.

Senate bill No. 81, an Act to amend an Act entitled an Act concerning certified copies of certain instruments in writing, passed April twenty-ninth, eighteen hundred and fifty-seven—rules suspended, read third time, and passed.

Assembly concurrent resolution No. 17, relative to mail route to Southern California—returned to file.

Assembly bill No. 164, an Act amendatory of and supplementary to an Act entitled an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April

twenty-seventh, eighteen hundred and sixty-three—ordered printed, and made special order for Wednesday, February seventeenth.

Assembly bill No. 234, an Act to authorize Lucien B. Healy to sell certain real estate—rules suspended, considered engrossed, read third time, and passed

Assembly bill No. 76, an Act to establish and maintain Public Pounds, for the better securing estrays and unruly horses, mules, cattle, and other stock, in the County of San Joaquin—amendments adopted, returned to file, and ordered printed.

Assembly bill No. 163, an Act amendatory of and supplementary to an Act entitled an Act more clearly to define the boundaries of Sacramento County, and to amend the Act entitled an Act to amend an Act entitled an Act dividing the State into counties, and establishing the seats of justice therein, passed April twenty-fifth, eighteen hundred and fifty-one—indefinitely postponed.

REPORT.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 180, an Act to fix the salary of the Superintendent of Common Schools of Placer County;

Also, Assembly bill No. 162, an Act to amend an Act entitled an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three;

Also, Assembly bill No. 128, an Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of the State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 94, an Act to change the name of George Andrews Hatch to George Andrews Pavey, and to confirm his adoption by William Henry Pavey;

Also, Assembly bill No. 71, an Act to provide for the collection of delinquent taxes in the County of Sierra;

Also, Assembly bill No. 100, an Act to authorize the Board of Supervisors of Tulare County to allow the claim of Robert Glass;

Also, Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect toll for travel thereon;

Also, Assembly bill No. 161, an Act to confer the powers of Commissioners of Deeds, for the time being, upon certain officers of the army of the United States;

Also, Assembly bill No. 148, an Act to authorize the Administrator of the estate of Maria Ygnacia Amador de Alvarado, deceased, to sell and convey real estate;

Also, Assembly bill No. 147, an Act to transfer certain funds;

And, on this eighth day of February, eighteen hundred and sixty-four, have delivered the same to the Governor for his approval

The committee have also examined, and found correctly enrolled, Assembly concurrent resolution No. 27, in relation to Indian hostilities;

And on this eighth day of February, eighteen hundred and sixty-four, have delivered the same to the Secretary of State.

REDFIELD, Chairman.

MESSAGE FROM THE SENATE.

The rules were suspended to take up the following message from the Senate :

SENATE CHAMBER,
February 8th, 1864. }

Mr. SPEAKER :—The Senate, on the third instant, passed Senate bill No. 159, an Act to appropriate money to pay the claim of A. Blossom ;

Also, I am directed to transmit herewith a communication from Brigadier-General John S. Ellis, inviting the Legislature and Governor to review the Second Brigade ;

Also, that the Senate this day received from the Governor a report of the State Prison Directors, which report was transmitted to the State Printer.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 159, above reported, read first and second times, and referred to the Committee on Claims.

The invitation from Brigadier-General Ellis was read and placed with unfinished business.

At one o'clock and forty minutes p. m., on motion of Mr. Kewen, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, January 9th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Messrs. Devoe, Ludlow, and Wood were each granted leave of absence for one day.

Journal of yesterday read and approved

Mr. Snyder presented the following communication :

SAN FRANCISCO, February 8th, 1864.

E. H. SNYDER, Esq.,

Chairman Committee on Mines. etc.

SIR :—In reply to your favor of February fifth, I beg to say that we are busy packing our collections and moving, this week. Besides, it seems hardly likely that any attention will be paid by the Legislature to any other subject than that of the "Specific Contract Law," until that is finally disposed of. As soon as it is, I will immediately write and fix a time for addressing the Legislature, as requested.

Yours, very respectfully,

J. D. WHITNEY.

Mr. Campbell of San Francisco rose to a question of privilege, and presented the following telegraphic dispatches.

[Copy.]

SACRAMENTO, California, }
February 6th, 1864. }

To Honorable S. P. Chase,

Secretary of Treasury, Washington City:

Is California gold law against National policy? Repeal proposed.
Your opinion is important. Answer.

THOMPSON CAMPBELL,
Assemblyman.

E. W. ROBERTS,
Senator.

[Copy.]

WASHINGTON, February 8th, 1864.

Thompson Campbell and E. W. Roberts:

I am clearly of opinion that the California gold law is against National policy, and I shall be much gratified to see California declare herself in favor of one currency for the whole people, by its repeal.

S. P. CHASE,
Secretary.

Mr. McColliam presented a petition from the members of the bar in the City and County of San Francisco for the creation of a new Judicial District.

REPORTS.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report:

MR. SPEAKER:—Your Committee on Hospitals, to whom was referred Assembly bill No. 246, an Act to authorize the establishment of County and State Medical Societies, have had the same under consideration, report it back, and recommend its passage.

BUFFUM, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress;

Also, Assembly bill No. 210, an Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three;

Also, Assembly bill No. 240, an Act to amend an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Chappell, Chairman of the Committee on Public Expenditures and Accounts, made the following report :

MR. SPEAKER :—Your Committee on Public Expenditures and Accounts, having examined and found correct the following bills, beg leave to report the same, and respectfully recommend the adoption of the accompanying resolution :

| To whom Due. | Amount. |
|--|----------|
| James Anthony & Co., for Daily Union from January 4 to January 30, 1864..... | \$158 00 |
| George I. Lytle, for Daily Appeal, Bulletin, and Independent, for one month..... | 176 83 |
| Spirit of the Times, for session..... | 15 00 |
| W. M. Rider, for Oroville Union, for session..... | 45 00 |
| John Platt, for Sierra Democrat, for session..... | 34 00 |
| R. Stuart, for Daily Alta, for session..... | 110 00 |
| R. Stuart, for Weekly Alta, for session..... | 30 00 |
| O. P. Stidger, for San Juan Press, for session..... | 30 00 |
| C. Rave, for hardware..... | 10 50 |
| Philip Groves, for repairing Speaker's chair..... | 8 50 |
| Los Angeles News, for session..... | 18 00 |
| W. M. Rider, for Quincy Union, for session..... | 15 00 |
| Amador Weekly Ledger, for session..... | 33 00 |
| Robert Nixon, for Yreka Journal, for two thirds of session..... | 2 00 |
| Locke & Lavenson, for sundry articles, as per bill..... | 27 50 |
| A. C. & W. Bidwell, for coal and wood..... | 56 75 |
| Ione Chronicle, for session..... | 18 00 |
| Gillig, Mott & Co., for sundry articles, as per bill..... | 121 38 |
| Express Printing Company, for Weekly and Daily Express, for session..... | 31 00 |
| Total | \$941 96 |

Resolved, That the Controller is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly, as follows :

In favor of James Anthony & Co., for one hundred and fifty-eight dollars ;

In favor of George I. Lytle, for one hundred and seventy-six dollars and eighty-three cents ;

In favor of Spirit of the Times, for fifteen dollars ;

In favor of W. M. Rider, for forty-five dollars ;

In favor of John Platt, for thirty-six dollars ;

In favor of R. Stuart, for one hundred and forty dollars ;

In favor of O. P. Stidger, for thirty dollars ;

In favor of C. Rave, for ten dollars and fifty cents ;

In favor of Philip Groves, for eight dollars and fifty cents ;

In favor of Los Angeles News, for eighteen dollars ;

In favor of W. M. Rider, for fifteen dollars ;

In favor of Amador Weekly Ledger, for thirty-three dollars ;

In favor of Robert Nixon, for two dollars;

In favor of Locke & Lavenson, for twenty-seven dollars and fifty cents;

In favor of A. C. & W. Bidwell, for fifty-six dollars and seventy-five cents;

In favor of Ione Chronicle, for eighteen dollars;

In favor of Gillig, Mott & Co., for one hundred and twenty-one dollars and thirty-eight cents;

In favor of Express Printing Company, for thirty-one dollars.

CHAPPELL, Chairman.

Adopted.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims have had under consideration Senate bill No. 96, an Act to appropriate money to pay the claim of H. B. Chambers, and respectfully report it back to the House, with the recommendation that the bill pass.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 225, an Act to appropriate money to pay the claim of T. R. Eldredge and Manuel Torres for translating laws into Spanish, report it back to the House, recommending the passage of the bill.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 157, an Act to pay for copying done for the Assembly by J. M. Anderson during the session of eighteen hundred and sixty-one, find that the claim has been before the Legislature at two sessions prior to this, and that the subject has had a full examination by the Committee on Claims of the last session. In view of the fact that no new proof has been presented to this committee, we respectfully report the bill back to the House, recommending its indefinite postponement.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 221, an Act for the relief of Miss M. H. Bowne, respectfully beg leave to report the bill back to the House, and recommend its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Watson made the following report :

MR. SPEAKER:—Your committee, to whom was referred bill No. 87, an Act relating to the Swamp and Overflowed Land in District Number Two, in the County of Sacramento, return the same to the House, with the recommendation that it be referred to the Committee on Swamp and Overflowed Lands.

TUKEY, for Committee.

The bill above reported No. 87, was referred as recommended.

Mr. Watson made the following report :

MR. SPEAKER:—Your committee, to whom was referred Assembly bill No. 242, an Act to authorize the Board of Supervisors of Sacramento County to fund certain claims, report the same back, with a recommendation that it pass.

TUKEY, for Committee.

Mr. Allen made the following report :

MR. SPEAKER:—The San Joaquin delegation, to whom was referred Assembly bill No. 251, an Act to make the salary of the District Attorney of San Joaquin County payable monthly, have had the same under consideration, respectfully beg leave to report it back, and recommend its passage.

ALLEN, for Delegation.

SPECIAL ORDER.

Assembly bill No. 103, an Act to prohibit gaming, (the first special order of the day,) was postponed until Thursday, February eleventh, at twelve o'clock M.

MOTIONS AND RESOLUTIONS.

Mr. Buffum offered a concurrent resolution concerning the location of the State Insane Asylum.

Laid on the table.

Mr. Boulware offered the following resolution :

Resolved, That such demonstrations as just witnessed would be more becoming a mass meeting than a legislative body.

Mr. Van Schaick moved to lay the resolution on the table.

On which, Messrs Martin, Dow, and Whallon, demanded the ayes and noes, and the House refused, by the following vote :

AYES—Messrs Allen, Beaman, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Dodson, Erkson, Fraser, Hartsough, Hill, Hubbard, Hirst, Lux, Owen, Parker, Perley, Rhoads, Snyder, Sumner, Van Schaick, Walker of Alameda, Wason, Wiley, Wilsey, and Winchester—26

NOES—Badlam, Boulware, Brown of Amador, Brown of Tulare, Clark, Clayton, Dickinson, Dow, Dutton, Dyer, Gray, Hittell, Hoag, Hunt, Johnson, Kendrick, Kewen, Langdon, Littlefield, Martin, McColham, Mebius, Perrin, Personette, Redfield, Rule, Scott of Alameda, Scott of

Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Van Leuven, Walker of Fresno, Watson, Weston, and Whallon—36.

The resolution, by permission of the House, was then withdrawn.

Mr Rule moved to take up, for the purpose of reference, the concurrent resolution offered by Mr. Buffum.

The motion prevailed.

The resolution was referred to the Hospital Committee.

Mr. Wiley, by leave, offered the following resolution :

Resolved. That the Speaker be and he is hereby authorized to fill the place of Mr. Lynch on committees.

Adopted.

Mr Tukey, in accordance with notice on yesterday, moved to reconsider the vote whereby Assembly bill No. 124, an Act to provide for the support of the Fire Department of Sacramento, was passed.

He also presented a recommendation, by the Board of Trustees of the City of Sacramento, recommending its passage, and then withdrew the motion to reconsider.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Owen, for an Act to authorize Petra Silva de Pillot, Guardian of certain minors, to sell at private sale the lands and real estate of said minors

Read first and second times, and ordered to General File.

By Mr. McColliam, for an Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

Read first and second times, and referred with accompanying petition to the San Francisco delegation.

Also, for an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred with accompanying petition to the San Francisco delegation.

Also, for an Act supplementary to and to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred with accompanying petition to the San Francisco delegation.

By Mr. Lux, for an Act granting bounties to California Volunteers.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Clayton, for an Act to amend an Act entitled an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, passed May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee

By Mr Rule, for an Act fixing the salaries of State officers and Clerks, and the officers and employés of the Senate and Assembly.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Erkson, for an Act to authorize the successors in office of James T. Kennedy, deceased, late Sheriff of Santa Clara County, to execute deeds in certain cases.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Clayton, for an Act to provide for the construction of a macadamized road in the City and County of San Francisco, and for the collection of tolls thereon.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Perley, for an Act to authorize payment of the claim of J. T. Diossy, for collating and compiling the revenue laws of this State.

Read first and second times, and referred to Committee on Claims.

By Mr. Perrin, for an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Elections.

By Mr. Badlam, for an Act to amend an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one, and the subsequent Acts amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times.

Pending the question of reference, Mr. Rule moved a call of the House.

A call was ordered.

The following gentlemen failed to respond to their names—Messrs. Allen, Bowman, Brooks, Brown of Tulare, Buffum, Castro, Cherry, Devoe, Dickinson, Dyer, Gray, Green, Hartsough, Hittell, Hunt, Jenison, Kendrick, Littlefield, Ludlow, Lynch, Martin, McColliam, Mebius, Mitchell, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Sonoma, Teare, Walker of Fresno, Wilcox, Wood, Wright, and Mr. Speaker.

There being a quorum present, on motion of Mr. Kewen, further proceedings under the call were dispensed with.

The bill under consideration was referred to the Committee on Corporations.

SECOND SPECIAL ORDER.

The House then considered the second special order of the day, Assembly bill No. 14, an Act concerning Jurors.

Mr. Walker of Alameda offered the following amendment to section two:

To strike out all after the word "no," in section two, line three, to and including the word "Act," in line four, and insert "such allowance shall be made."

Adopted.

Mr. Van Schaick moved to amend section three by striking out of line two, the words "which assessment shall in all cases be paid before the jury is sworn."

Adopted.

Mr. Van Schaick moved to further amend section three as follows :
Amend section three, line two, by inserting, after the word "term," the words "demanding a jury trial."

Adopted.

Mr. Kewen moved to further amend section three by adding the following :

"*Provided*, that the provisions of this section shall not apply to the counties composing the First and Thirteenth Judicial Districts."

Adopted.

Mr. Kewen offered the following additional section as section four :

"Section 4. Section three of this Act shall only apply to the Counties of Santa Clara, Alameda, Sacramento, Marin, Placer, and Solano."

Adopted.

Mr. Van Leuven offered the following additional section :

"Section 5. Section two shall not apply to San Bernardino County."

Adopted.

Mr. Hubbard offered the following as an additional section :

"Section 6. The provisions of this Act shall not apply to the Counties of Yuba, San Francisco, Sierra, Colusa, Tehama, Sutter, Sonoma, and Shasta."

Adopted.

The bill was then ordered engrossed and read third time.

THIRD SPECIAL ORDER.

The House took up the third special order of the day, Senate concurrent resolution No. 1, relative to the seat held in the United States Senate by Honorable James A. McDougall.

Mr. Cherry moved a call of the House.

Mr. Wilcox moved to amend by a count.

The count was ordered.

A quorum being present, no further proceedings were had.

Mr. Langdon moved to strike out of a clause in the resolution the word "wilful," and insert "total."

The amendment was lost.

On concurring in the resolution, the ayes and noes were demanded, by Messrs. Rhoads, Tukey, and Weston, and the House concurred, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brown of Amador, Buffum, Campbell of El Dorado, Chappell, Cherry, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hill, Hittell, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Lux, Martin, Mebius, Parker, Perley, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, and Mr. Speaker—49.

NOES—Messrs. Brown of Tulare, Dickinson, Kendrick, Sepulveda, Smith of Sonoma, and Whallon—6.

Mr. Rhoads moved to adjourn.

Lost.

Messrs. Campbell of San Francisco, Wiley, and Scott of Siskiyou, absent at the passage of the resolution of censure of Honorable James A. McDougall, had leave to be recorded as voting affirmatively therefor.

Mr. Fraser renewed the motion to adjourn.

Messrs. Dodson, Perley, and Scott of Alameda, demanded the ayes and noes, and at two o'clock and twenty-three minutes P. M., the House agreed to adjourn, by the following vote :

AYES—Messrs. Alley, Beaman, Boulware, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Chappell, Dickinson, Dyer, Erkson, Fraser, Hartsough, Hubbard, Hirst, Kendrick, Langdon, Littlefield, Martin, Parker, Perrin, Pratt, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Sumner, Van Leuven, Wiley, and Whallon—28.

NOES—Messrs. Allen, Badlam, Brown of Tulare, Buffum, Cherry, Clark, Dodson, Dutton, Gray, Hill, Hittell, Hunt, Jenison, Johnson, Kewen, Lux, Mebius, Perley, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Snyder, Tukey, Walker of Alameda, Wason, and Watson—26.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Wednesday, February 10th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

Mr. Hill had leave to be recorded as present at roll call.

Journal of yesterday read and approved.

Messrs. Devoe, Wood, McColliam, Ludlow, Clark, Teare, and Winchester, had leave to be recorded as voting affirmatively on the passage of the McDougall resolutions.

Messrs. Kewen, Hoag, and Walker of Fresno, had leave to be recorded as voting negatively on the McDougall resolutions.

PETITIONS.

Mr. Hittell presented a remonstrance from J. W. Raymond and others against the construction of a road in the City and County of San Francisco.

Referred to the San Francisco delegation.

Mr. Weston presented a petition by citizens of Sierra County, relative to a toll road in said county.

Referred to the Sierra delegation.

Mr. Walker of Alameda presented a petition by Lorenzo Waugh, recommending the passage of a supplement to the revenue law.

The rules were suspended, and Mr. Walker of Alameda had leave to introduce a bill for an Act supplemental to an Act to provide revenue for the support of the government of this State, approved May seven-teenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Public Morals.

Mr. Owen presented a memorial from the State Board of Agriculture, relative to an appropriation in behalf of the State Agricultural Society.

Ordered printed, and original transmitted to the Senate.

Mr. Whallon presented a remonstrance from citizens of Sonoma County against the repeal of the specific contract law.

Laid on the table.

Mr. Badlam presented a petition of E. Derbee, for compensation for services rendered in publishing official advertisements in eighteen hundred and fifty-four.

The Speaker announced the following appointments on committees in place of Mr. Lynch :

On Elections—Mr. Scott of Siskiyou.

On State Prison—Mr. McCollum.

REPORTS.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report:

MR. SPEAKER:—Your Committee on Hospitals, to whom was referred concurrent resolution No. 28, concerning the location of the Insane Asylum, have had the same under consideration, report it back, and recommend its passage.

BUFFUM, Chairman.

Mr. Wilcox, Chairman of the Committee on Public Lands, made the following report:

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred Assembly bill No. 229, an Act to prevent the destruction of timber on the Public Lands of this State, have had the same under consideration, report it back with an amendment, and recommend its passage as amended.

WILCOX, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:—The Committee on Claims have had under consideration Assembly bill No. 208, an Act to appropriate money to pay the claim of Benjamin P. Avery, and respectfully report the bill back to the House, recommending its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report:

Mr. SPEAKER :—The Committee on Claims, to whom was referred Assembly bill No. 203, an Act for the relief of John Wigmore, find the object of the bill to be to authorize the Governor of the State of California to convey to John Wigmore, by deed duly executed and acknowledged, all the interest which the State of California had on the tenth day of October, A. D. eighteen hundred and fifty-five, in and to a certain portion of water lot Number Two Hundred and Sixty-Two in the City and County of San Francisco. The evidence presented to the committee goes to show that the lot in question was a part of the estate of J. T. Folsom, deceased, but it does not appear how or at what time the title became vested in the State of California; also, that there appears to be conflicting statements in regard to conveyances and titles, which involve legal questions; we therefore beg leave to report the same back to the House, and recommend its reference to the Judiciary Committee.

CAMPBELL of El Dorado, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER :—Your Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 130, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in Amador County;

Also, Assembly bill No. 187, an Act to change the name of James Kinsman;

Also, Assembly bill No. 192, an Act to confer further powers upon the Common Council of the City of San José;

And this day delivered the same to the Governor for his approval.

Also, have examined and found correctly enrolled, Assembly concurrent resolution No. 25, relative to furnishing his excellency, Governor Low, with copies of all printed bills, and the General File of both Houses each day;

Also, Assembly concurrent resolution No. 26, concerning the correction of a clerical error.

REDFIELD, Chairman.

Mr. Boulware, Chairman of the Committee on Agriculture, made the following report:

Mr. SPEAKER :—The Committee on Agriculture, to whom was referred Assembly bill No. 223, entitled an Act to provide for the collection of statistics, have had the same under consideration, and we respectfully ask leave to report the same back, and recommend that the first fifteen sections be referred to the Judiciary Committee, and the seven latter sections be recommitted to the Committee on Agriculture.

BOULWARE, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 211, an Act to legalize the assessments made in the County of San Diego;

Also, Assembly bill No. 234, an Act to authorize Lucien B. Healy to sell certain real estate;

Also, Assembly bill No. 252, an Act to define the legal distances from the county seat of Lake County to the Capital, Lunatic Asylum, and State Prison;

Also, Assembly bill No. 45, an Act for the better protection of the agricultural interests in certain counties in this State, and the more effectual prevention of the trespassing of animals upon private property;

Also, Assembly bill No. 93, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

Mr. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 158, an Act to regulate the nomination of candidates for public offices, have had the same under consideration, and respectfully beg leave to report the bill back, and recommend its indefinite postponement;

Also, Assembly bill No. 235, an Act relative to Justices of the Peace in the City of Stockton, and report the same back with an amendment, and recommend the passage of the same as amended;

Also, Assembly bill No. 224, an Act to preserve the rights of parties existing on the thirty-first day of December, A. D. eighteen hundred and sixty-three, under and by virtue of the laws then existing concerning forcible entries and unlawful detainers, and recommend the passage of the same;

Also, Senate bill No. 57, an Act supplementary to an Act entitled an Act to amend an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty, approved April eighteenth, eighteen hundred and sixty-three, and recommend the passage thereof;

Also, Assembly bill No. 227, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and report the same back, with a recommendation of its indefinite postponement;

Also, Assembly bill No. 226, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and recommend the indefinite postponement of the same;

Also, Senate bill No. 104, an Act to repeal an Act entitled an Act authorizing the Treasurer of State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of this State, and to indemnify citizens of this State for losses sustained by Indian depredations, passed April twenty-seventh, eighteen hundred and sixty-three, and recommend the passage of the same;

Also, Senate bill No. 135, an Act relating to powers of attorney, with a recommendation of its passage;

Also, Senate bill No. 15, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State,

passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof, and report the same back, with a recommendation of its indefinite postponement ;

Also, Assembly bill No. 248, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, and recommend its passage ;

Also, Assembly bill No. 247, an Act to authorize the Executors of the last will and testament of Elias S. Cooper, deceased, to sell and convey real estate, and recommend the passage of the same.

CAMPBELL of San Francisco, Chairman.

Mr. Boulware, Chairman of the Committee on Agriculture, made the following report :

MR. SPEAKER :—The Committee on Agriculture, to whom was referred Assembly bill No. 193, an Act to provide for the collection and publication of agricultural and other statistics of the State, have had the same under consideration, report a substitute for the same, and recommend its passage ; and also report several petitions in favor of the passage of the substitute.

BOULWARE, Chairman.

The bill above reported was ordered to top of file for Thursday, February eleventh.

Mr. Personette made the following report :

MR. SPEAKER :—The Trinity delegation, to whom was referred Assembly bill No. 250, an Act to provide for the payment of the salary of the County Judge of Trinity County, have had the same under consideration, and recommend its passage.

PERSONETTE, for Delegation.

Mr. Hirst made the following report :

MR. SPEAKER :—The delegation, to whom was referred Senate bill No. 161, report the same back to the House without amendment, and recommend its passage.

HIRST, for Delegation.

Mr. Owen made the following report :

MR. SPEAKER :—The undersigned, a Joint Committee, appointed by the Senate and Assembly to open the proposals for translating the laws into Spanish, in pursuance to the Act to amend an Act entitled an Act concerning the office of Secretary of State, passed May fifteenth, eighteen hundred and fifty-four, and other Acts amendatory thereof, approved April twenty-seventh, eighteen hundred and sixty-three, report that we have attended to the duties devolved upon us, and find that N. F. Brown is the lowest competent bidder. We accordingly have awarded the contract for translating said laws to the said N. F. Brown.

OWEN,

WILEY,

Assembly Committee ;

SHAFTER,

LOVETT,

EVANS,

Senate Committee.

Laid on the table until minority report is made.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 10th, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 162, an Act to amend an Act entitled an Act to amend section eighty of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, one thousand eight hundred and sixty-three ;

Also, Assembly bill No. 147, an Act to transfer certain funds ;

Also, Assembly bill No. 100, an Act to authorize the Board of Supervisors of Tulare County to allow the claim of Robert Glass ;

Also, Assembly bill No. 128, an Act amendatory of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 94, an Act to change the name of George Andrews Hatch to George Andrews Pavey, and confirm his adoption by William Henry Pavey ;

Also, Assembly bill No. 161, an Act to confer the powers of Commissioners of Deeds, for the time being, upon certain officers of the army of the United States.

FRED'K F. LOW,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Beaman offered the following preamble and resolution :

WHEREAS, a recent decision of the Supreme Court of this State denies the legality of the election of all persons chosen to office by the aid of votes cast by volunteer soldiers of California ; and, whereas, two of the members of this Assembly, Honorable L. S. Littlefield, of Siskiyou, and Honorable J. W. Wilcox, of Mariposa, were so chosen ; and, whereas, there are in the possession of this Assembly, certificates of election furnishing prima facie proof of their right to the seats which they now hold ; and, whereas, no notice, as required by law, has been given of any intention to contest such right ; and, whereas, this Assembly considers that said Littlefield and Wilcox are morally and legally the proper persons to represent the loyal people of their respective districts ; therefore,

Resolved, That this Assembly considers it the right and the duty of Honorable L. S. Littlefield and Honorable J. W. Wilcox to retain their seats and continue in the exercise of their duties as members of this body.

Mr. Winchester offered the following substitute :

Resolved, That J. W. Wilcox and L. S. Littlefield are and shall be con-

sidered by this Assembly the legal representatives of their respective counties until shown to the contrary by due process of law.

Adopted.

Mr. Martin moved to strike out all after the word "counties."

Mr. Campbell of San Francisco moved to amend the motion of Mr. Martin by inserting after the word "until," the words "otherwise determined by this House."

Adopted.

On the adoption of the substitute, as amended, Messrs. Whallon, Dickinson, and Lux, demanded the ayes and noes, which were taken, with the following result :

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Clark, Clayton, Devoe, Dodson, Dutton, Dyer, Erkson, Fraser, Hartsough, Hill, Hittell, Hubbard, Hirst, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, Mobius, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, and Wood—53.

NOES—Messrs. Dickinson, Hoag, Kewen, Sepulveda, Smith of Sonoma, Walker of Fresno, and Whallon—7.

So the substitute was adopted.

Mr. Rule moved to print Assembly bill No. 259.

So ordered.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
February 10th, 1864. }

Mr. SPEAKER :—The Senate, on the third instant, passed Senate bill No. 138, an Act for the relief of Marcuse and Baltzar.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 138, above reported, read first and second times, and referred to the Committee on Claims.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Van Leuven, for an Act to authorize the Board of Supervisors of San Bernardino County to convey a deed of Lot Number Six in Block Number Twenty-Eight, in the city survey of San Bernardino, to Elmira L. Hughes, widow of Willard T. Hughes, deceased.

By Mr. Weston, for an Act to grant to William Beale the right to construct a toll road in Sierra Valley from Arms' Store to the Junction House on the Henness Pass road.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Walker of Fresno, for an Act to fix the compensation of the Board of Supervisors of Fresno County.

Read first and second times, and referred to the Fresno delegation.

By Mr. Watson, for an Act amendatory of and supplementary to an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and ordered to General File.

By Mr. Winchester, for an Act to amend an Act entitled an Act to provide for the better encouragement of the culture of the vine and olive.

Read first and second times, and referred to the Committee on the Culture of the Grape.

By Mr. Owen, for an Act for the protection of parties purchasing lands of this State, and providing for resurveys of such lands in certain cases.

Read first and second times, and referred to the Committee on Public Lands.

Also, for an Act supplementary to an Act entitled an Act to provide for the sale of certain lands belonging to this State, passed April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Public Lands.

GENERAL FILE.

Assembly bill No. 196, an Act supplementary to an Act entitled an Act concerning roads and highways in the County of San Mateo, approved April twenty-seventh, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 213, an Act changing the time for holding the County and Probate Courts in the County of Amador—read third time, and passed.

Assembly bill No. 218, an Act to fix the compensation of the Assessor of Santa Cruz County—read third time, and passed.

Assembly bill No. 140, an Act for the preservation of the public health—ordered second on file for to-morrow.

Assembly bill No. 46, an Act to authorize mining companies or corporations to change their principal place of business—rules suspended, read third time, and passed.

Senate bill No. 111, an Act supplementary to an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight—rules suspended, read third time, and passed.

Senate bill No. 112, an Act amendatory of and supplementary to an Act entitled an Act amendatory of an Act entitled an Act to establish the Industrial School Department of the City and County of San Francisco, approved April fifteenth, eighteen hundred and fifty-eight, approved March eighth, eighteen hundred and sixty—rules suspended, read third time, and passed.

Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River—amendments adopted, ordered engrossed and read third time.

Assembly bill No. 236, an Act to authorize the Guardian of Charles Thompson and Albert Thompson to sell and convey their real estate—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 249, an Act to provide for funding the indebtedness

of the County of Tehama—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 206, an Act to authorize R. C. Kirby and others to construct and maintain a turnpike road from the Town of Santa Cruz to a point at or near the line of the San Francisco and San José Railroad, and to charge and collect tolls for travel thereon—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly concurrent resolution No. 17 relative to mail route to Southern California—recommitted to introducer.

Assembly bill No. 76, an Act to establish and maintain Public Pounds for the better securing estrays and unruly horses, mules, cattle, and other stock, in the County of San Joaquin—laid temporarily on table.

Senate bill No. 96, an Act to appropriate money to pay the claim of A. B. Chambers.

Considered in Committee of the Whole, (Mr. Cherry in the Chair.)

IN ASSEMBLY.

Reported and returned to file.

Assembly bill No. 225, an Act to appropriate money to pay the claim of T. R. Eldredge and Manuel Torres for translating laws into Spanish.

Considered in Committee of the Whole, (Mr. Dodson in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 221, an Act for the relief of Miss M. H. Bowne—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 242, an Act to authorize the Board of Supervisors of the County of Sacramento to fund certain claims—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 251, an Act to make the salary of the District Attorney of San Joaquin County payable monthly—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 253, an Act to authorize Petra Silva de Pillot, Guardian of certain minors, to sell at private sale the lands and real estate of said minors—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 157, an Act to pay for copying done for the Assembly by J. M. Anderson during the session of eighteen hundred and sixty-one—indefinitely postponed.

On motion of Mr. Buffum, Assembly bill No. 140, an Act for the preservation of the public health, was taken up.

Mr. Brown moved to except the County of Amador from the provisions of the bill.

Adopted.

On motion of Mr. Walker of Alameda, the bill was made the special order for Monday, February fifteenth, at twelve o'clock M., and ordered printed.

UNFINISHED BUSINESS.

The invitation from Brigadier-General Ellis to attend a military review of the Second Brigade at San Francisco, on Washington's Birthday, was taken from the table.

On motion of Mr. Green, the House agreed to accept the invitation, and directed the Chief Clerk to notify Brigadier-General Ellis thereof.

There being no further business, on motion of Mr. Jenison, at two o'clock and twenty-five minutes p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 11th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

Mr. Hill presented a petition of sundry citizens, favoring the construction of a wagon road from Monterey to San Juan.

Referred to the Committee on Roads and Highways.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 124, an Act for the support of the Fire Department of the City of Sacramento ;

Also, Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 212, an Act amendatory of an Act entitled an Act supplementary to an Act to incorporate the City of Los Angeles, approved February nineteenth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 221, an Act for the relief of Miss M. H. Bowne ;

Also, Assembly bill No. 225, an Act to appropriate money to pay the claim of T. R. Eldredge and Manuel Torres for translating laws into Spanish ;

Also, Assembly bill No. 228, an Act repealing an Act entitled an Act concerning the office of County Clerk in the County of Yolo, approved April fourteenth, eighteen hundred and sixty-three, and restoring former Acts ;

Also, Assembly bill No. 242, an Act to authorize the Board of Supervisors of the County of Sacramento to fund certain claims ;

Also, Assembly bill No. 251, an Act to make the salary of the District Attorney of San Joaquin County payable monthly ;

Also, Assembly bill No. 260, an Act to authorize the successors in office of James F. Kennedy, deceased, late Sheriff of Santa Clara County, to execute deeds in certain cases.

DYER, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

MR. SPEAKER :—Your Committee on Ways and Means, to whom was referred Assembly bill No. 75, an Act to provide for the disposition of moneys collected under an Act entitled an Act concerning passengers arriving in the ports of the State of California, approved May twelfth, eighteen hundred and fifty-two, and Acts amendatory thereof and supplemental thereto, beg leave to report that from the history of the bill, as indorsed by the Assistant Secretary of the Senate, they cannot determine what action that honorable body has taken on said bill, and therefore recommend that it be returned to the Senate, with the request that the history be correctly indorsed thereon.

ALLEN, Chairman.

Mr. Hartsough, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

MR. SPEAKER :—Your Committee on Swamp and Overflowed Lands have had under consideration Senate bill No. 87, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act for the reclamation of Swamp and Overflowed, Salt Marsh, and Tide Lands, donated to the State by Act of Congress, approved April eleventh, eighteen hundred and sixty-two, and beg leave to report the same back, and recommend its passage.

HARTSOUGH, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 168, an Act to separate the office of Collector of Taxes from the office of Sheriff of Sacramento County, have had the same under consideration, and report the bill back with a substitute, and without recommendation.

CAMPBELL of San Francisco, Chairman.

Mr. Weston made the following report :

MR. SPEAKER :—The Sierra delegation, to whom was referred the petition of one hundred citizens of Sierra Valley and vicinity, for a toll road from Arms' Store to the Junction House, on the Henness Pass Road, having considered the same, report it back to the House, and recommend that the prayer of the petitioners be granted.

WESTON, for Delegation.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims, to whom was referred Senate bill No. 159, an Act to appropriate money to pay the claim of A. Blossom, beg leave to report the same back to the House, and recommend its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 262, an Act to pay the claim of John T. Diossy, for collating and compiling the revenue laws of this State, beg leave to report it back to the House with an amendment, and recommend its adoption.

CAMPBELL of El Dorado, Chairman.

Mr. Brown of Amador made the following report :

Mr. SPEAKER :—The special committee to whom was referred Assembly bill No. 150, organizing the County of Alpine, have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute.

BROWN of Amador, for Committee.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Campbell of San Francisco, for an Act to support the privilege of free suffrage, by providing that qualified electors of this State, in the service of the United States, and while temporarily absent from this State, shall hereafter be allowed to vote for the following officers :

First—For Members of the Legislature ;

Second—For Members of Congress ;

Third—For Presidential electors.

By Mr. Hittell, for an Act supplementary to and amendatory of an Act entitled an Act concerning County Recorders.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Weston, for an Act to grant to William Beal the right to construct a toll road from Arms' Store, in Sierra Valley, to the Junction House, on the Henness Pass Road, in the County of Sierra, and to collect toll thereon.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Hill, for an Act for the building and improvement of certain roads in the County of Monterey.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Brown of Tulare, for an Act respecting Owens River Canal Company.

Read first and second times, and referred to the Committee on Internal Improvements.

By Mr. Erkson, for an Act to regulate the fees and fix the salaries of certain officers in the County of Santa Clara.

Read first and second times, and ordered to General File.

By Mr. Badlam, for an Act entitled an Act for the relief of E. Derbec.

Read first and second times, and referred to the Committee on Claims.

Also, for an Act to appropriate money to pay the claim of Phil. Cadue. Read first and second times, and referred to the Committee on Claims. By Mr. Hittell, for an Act to amend the revenue law.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Tukey, for an Act for the relief of George Nelson.

Read first and second times, and referred to the Committee on Claims.

Mr. Watson moved that Assembly bill No. 168, an Act to separate the office of Collector of Taxes from the office of Sheriff of Sacramento County, and the substitute therefor reported by the Judiciary Committee, be referred to the Sacramento delegation

Adopted.

GENERAL FILE.

Assembly bill No. 193, an Act to provide for the annual collection and publication of the agricultural statistics of this State—made special order for Friday, February nineteenth, at twelve o'clock m.

Assembly bill No. 229, an Act to prevent the destruction of timber on the Public Lands of this State—sundry amendments were adopted, and the bill ordered engrossed and read third time.

The House, on motion of Mr. Dodson, vacated the order making Assembly bill No. —, and the reported substitute therefor, the special order for February nineteenth, and assigned the same to Saturday, February thirteenth, and ordered the substitute (Assembly bill No. 271,) printed.

FIRST SPECIAL ORDER.

At one o'clock p. m. the House considered the first special order of the day, Assembly bill No. 216, an Act supplementary to and amendatory of an Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools—considered in Committee of the Whole, (Mr. Dodson in the Chair,) amended.

IN ASSEMBLY.

Reported and recommended, and amendments adopted.

Mr. Martin moved to suspend the rules, consider the bill engrossed, read third time, and passed.

Mr. Scott of Alameda called for a division of the question.

On which, Mr. Speaker put the question on the suspension of the rules.

Messrs. Cherry, Owen, and Perley demanded the ayes and noes, and the House refused, by the following vote :

AYES—Messrs. Alley, Beaman, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Clark, Devoe, Dodson, Erkson, Hart-sough, Hoag, Hubbard, Hitt, Jenison, Littlefield, Ludlow, Lux, Martin, Owen, Parker, Perley, Personette, Pratt, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Van Schaick, Weston, Wilcox, Wilsey, and Winchester—35.

NOES—Messrs. Brooks, Brown of Amador, Cherry, Clayton, Dow, Dutton, Dyer, Gray, Green, Hittell, Johnson, Kendrick, Langdon, McCollum, Mebius, Perrin, Redfield, Scott of Alameda, Smith of Sonoma, Sumner, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Wason, Whallon, Wood, and Wright—28.

The bill was then ordered engrossed and read third time.

On motion of Mr. Hittell, Assembly bill No. 223, an Act to provide for the collection of statistics, was referred to the Judiciary Committee.

SECOND SPECIAL ORDER.

Assembly bill No. 103, an Act to prohibit gaming, (the second special order of the day.) was continued until to-morrow at twelve o'clock.

On motion of Mr. Hirst, at four o'clock and thirty-five minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 12th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Indefinite leave of absence was granted to Mr. Wiley.

Mr. Rhoads. absent at roll call, had leave to be recorded as present.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 14, an Act concerning jurors ;

Also, Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River ;

Also, Assembly bill No. 236, an Act to authorize the Guardian of Charles Thompson and Albert Thompson to sell and convey their real estate.

DYER, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

MR. SPEAKER :—Your Committee on Military Affairs, to whom was referred Assembly bill No. 194, an Act amending section fifteen of an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, as amended, approved April twenty-fifth, eighteen hundred and sixty-three, and report the same back and recommend its passage.

WOOD, Chairman.

Mr. Pratt made the following report :

Mr. SPEAKER :—The Placer delegation, to whom was referred Assembly bill No. 237, an Act to divide the County of Placer into Supervisor and Revenue Districts, and to provide for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith, have had the same under consideration, and beg to report it back, with amendments, and unanimously recommend its passage as amended.

PRATT, for Delegation.

Mr. Walker of Fresno made the following report:

Mr. SPEAKER :—The Fresno delegation, to whom was referred Assembly bill No. 265, an Act to fix the compensation of the Board of Supervisors of Fresno County, report the same back and recommend its passage.

WALKER of Fresno, for Delegation.

On motion of Mr. Erkson, Assembly bill No. 274 was referred to the Santa Clara delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 11th, 1864. }

Mr. SPEAKER :—The Senate, on the third instant, passed Senate bill No. 142, an Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regulating the same, and to confer further powers upon the Auditor and Treasurer of said city and county, approved April twenty-seventh, eighteen hundred and sixty-three;

Also, this day, amended and passed Assembly bill No. 196, an Act supplementary to an Act entitled an Act concerning roads and highways in the County of San Mateo, approved April twenty-seventh, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 142, above reported, read first and second times, and referred to the San Francisco delegation.

The House concurred in Senate amendments to Assembly bill No. 196, above reported.

The rules were suspended to allow Mr. Dodson to move that the Committee of Free Conference on the patriotic resolutions introduced by Mr. Campbell of San Francisco be discharged from further consideration thereof.

Adopted.

The rules were again suspended, to receive the following report from Mr. Watson:

Mr. SPEAKER :—Your committee, to whom was referred Assembly bill

No. 168, an Act to separate the office of Collector of Taxes from the office of Sheriff of Sacramento County, return the same to the House, with a recommendation that it be indefinitely postponed.

WATSON,
TUKEY.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Snyder, for an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two ;

Also, for an Act to levy a special poll tax in the County of Placer, and provide for the collection of the same.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hittell, for an Act supplementary to and amendatory of the Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Owen, for an Act to amend an Act concerning Teachers of Common Schools in this State.

Read first and second times, and referred to the Committee on Education.

The rules were suspended for the following report by Mr. Martin :

MR. SPEAKER :—The Nevada delegation, to whom was referred Assembly bill No. 129, an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada, have had the same under consideration, report the same back with amendments, and recommend its passage as amended.

MARTIN, for Delegation.

The rules were again suspended, and the bill above reported taken up, amendments adopted, rules again suspended, the bill considered engrossed, read third time, and passed.

By Mr. Hill, for an Act concerning the official bonds of the County Clerk, Recorder and Auditor, the Assessor, and Superintendent of Common Schools of the County of San Luis Obispo.

Read first and second times, and ordered to General File.

By Mr. Walker of Fresno, for an Act to provide for the construction of a wagon and turnpike road in the Counties of Fresno and Mono.

Read first and second times, and referred to the Committee on Roads and Highways.

SPECIAL ORDER.

At twelve o'clock M., the House took up the special order of the day, Assembly bill No. 103, an Act to prohibit gaming.

Mr. Wilcox moved to refer the bill to the Judiciary Committee.

Lost.

The bill was considered by sections in Committee of the Whole, (Mr. Snyder in the chair.)

IN ASSEMBLY.

The committee rose, reported progress, and asked leave to sit again.

On motion of Mr. Kewen, the Committee of the Whole were discharged from the further consideration of the bill.

Mr. Martin moved to recommit the bill to the Committee on Public Morals.

Mr. Littlefield moved to amend by referring to the Judiciary Committee.

Lost

Mr. Wilcox moved to amend by instructing the Committee on Public Morals to insert the names of the games to be prohibited by the bill.

The motion was not adopted.

The bill was recommitted, as moved by Mr. Martin.

The rules were suspended to allow a motion by Mr. Teare for the appointment of a new Committee of Free Conference on Assembly concurrent resolutions No. 13.

Adopted.

Mr. Kewen moved to adjourn.

Lost.

The rules were suspended for the consideration of the following

MESSAGES FROM THE SENATE.

SENATE CHAMBER.

February 12th, 1864. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate this day passed Assembly bill No 212, an Act amendatory of an Act supplementary to an Act to incorporate the City of Los Angeles, approved February nineteenth, eighteen hundred and sixty-two;

Also, this day, passed Assembly bill No 260, an Act to authorize the successors in office of James F. Kennedy, deceased, late Sheriff of Santa Clara County, to execute deeds in certain cases;

Also, this day, passed Assembly bill No. 200, an Act to create a Board of Water Commissioners in the County of San Bernardino, and to define their duties.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,

February 12th, 1864. }

MR. SPEAKER:—The Senate, this day, concurred in such amendments as were agreed upon by the Committee of Free Conference on Assembly concurrent resolutions No. 13, and the Senate insists upon the residue of amendments, and have appointed a new Committee of Free Conference, consisting of Senators Foulke, Roberts and Yule, and ask the Assembly to appoint a like committee for the purpose of further consideration of said resolutions and amendments

A. W. BISHOP,
Assistant Secretary.

The Speaker appointed Messrs. Teare, Chappell, and Wilsey, a new Committee of Free Conference on the resolutions above reported.

At three o'clock and twenty-three minutes p. m., Mr. Kewen renewed the motion to adjourn, and the House agreed.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, February 13th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Leave of absence was granted to Mr. Rhoads for three days, to Messrs. Hirst, Clayton, and Erkson, for two days each, and to Messrs. Alley and Hill for one day each.

Journal of yesterday read and approved.

Mr. Watson presented a protest from William Timson and other citizens relative to the State Agricultural Society.

Referred to the Sacramento delegation.

REPORTS.

Mr. Owen, Chairman of the Committee on Education, made the following report:

MR. SPEAKER:—The Committee on Education have had under consideration Assembly bill No. 280, entitled an Act to amend an Act concerning Teachers of Common Schools in this State, report the same back without amendment, and recommend its passage.

OWEN, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 206, an Act to authorize R. C. Kirby and others to construct and maintain a turnpike road from the Town of Santa Cruz to a point at or near the line of the San Francisco and San José Railroad, and to charge and collect tolls for travel thereon;

Also, Assembly bill No. 253, an Act to authorize Petra Silva de Pillot, Guardian to certain minors, to sell at private sale the lands and real estate of said minors;

Also, Assembly bill No. 229, an Act to prevent the destruction of timber on the Public Lands of this State.

DYER, Chairman.

Mr. Cherry made the following report:

MR. SPEAKER:—The San Francisco delegation, to whom was referred Senate bill No. 142, an Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regulating the same, and to confer further powers upon the Auditor and Treasurer of said city and county, approved April twenty-seventh, eighteen hundred and sixty-three, having had the same under consideration, report it back without amendment, and recommend its passage;

Also, Assembly bill No. 185, an Act to amend an Act concerning the office of County Clerk, Sheriff, and County Recorder of San Francisco, approved March seventh, eighteen hundred and fifty-nine, report it back with an amendment, and recommend its passage as amended.

CHERRY, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Martin offered the following resolution :

Resolved, That the Special Committee on the State Reform School be and are hereby authorized and allowed to visit the Industrial School at San Francisco in company with the Hospital Committee of the Senate.

Adopted.

Mr. Weston moved to suspend the rules and consider Senate bill No. 57, an Act supplementary to an Act entitled an Act to amend an Act defining the time for commencing civil actions, passed April twenty-second, eighteen hundred and fifty, approved April eighteenth, eighteen hundred and sixty-three.

The motion prevailed.

The rules were suspended, bill read third time, and passed.

On motion of Mr. Dodson, Assembly bill No. 217 was transferred from the Judiciary Committee to the delegation from Lake and Napa.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
February 12th, 1864. }

Mr. SPEAKER :—The Senate this day passed substitute for Senate bill No. 178, an Act for the relief of the State Agricultural Society.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 178, above reported, read first and second times, and referred to the Sacramento delegation.

Mr. Walker of Alameda gave notice of the introduction of an additional Standing Rule, relative to reported bills.

Mr. Badlam gave notice of an amendment to Rule One of the Standing Rules, changing the hour of daily meeting.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Snyder, for an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Placer delegation.

By Mr. Mebius, for an Act to appropriate funds for the defence of the State.

Read first and second times, and referred to the Committee on Military Affairs.

By Mr. Martin, for an Act concerning the office of the Clerk of the Supreme Court.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Owen, for an Act to authorize the Guardian of certain minor children to sell and convey real estate.

Read first and second times, and ordered to General File.

GENERAL FILE.

Assembly bill No. 14, an Act concerning jurors—the vote ordering the bill engrossed was reconsidered, further amendments adopted, the rules suspended, the bill considered engrossed, read third time, and passed.

At twelve o'clock the House took up the special order of the day, Assembly bill No. 271, an Act to provide for the collection and publication of agricultural and other statistics of the State, proposed substitute for Assembly bill No. 193—considered in Committee of the Whole, (Mr. Badlam in the Chair.)

It being ascertained that the Committee was without a quorum, the consideration of the bill concluded, and the Committee rose.

IN ASSEMBLY.

Mr. Buffum moved to adjourn.

Lost.

Mr. Dodson moved a call of the House.

So ordered.

The following members failed to respond, viz :

Messrs. Allen, Alley, Bowman, Boulware, Brooks, Campbell of El Dorado, Campbell of San Francisco, Castro, Cherry, Clayton, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hill, Hoag, Hubbard, Hunt, Hirst, Kewen, Langdon, Lux, Lynch, Martin, Mebius, Mitchell, Pratt, Rhoads, Sepulveda, Smith of Sonoma, Van Leuven, Watson, Wilcox, Wiley, and Wood.

Mr. Whallon moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Dodson, Whallon, and Snyder, and taken, with the following result :

AYES—Messrs. Beaman, Brown of Amador, Brown of Tulare, Buffum, Chappell, Devoe, Dickinson, Hittell, Jenison, Johnson, Kendrick, Langdon, Littlefield, Owen, Parker, Perley, Redfield, Rule, Sumner, Walker of Fresno, Whallon, and Wright—22.

NOES—Messrs. Badlam, Clark, Dodson, Green, Ludlow, McColliam, Perrin, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Weston, Wilsey, and Winchester—19.

So the motion prevailed.

At one o'clock and twenty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 15th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

Leave of absence was granted for one day to each of the absentees.

Journal of Saturday last read and approved.

PETITIONS.

Mr. Buffum presented a petition of citizens of Butte County in favor of special State School tax.

Mr. Owen presented a petition of citizens of Santa Clara County in favor of special State School tax.

Mr. Badlam presented a petition of citizens of Sacramento relative to the State Agricultural Society.

Referred to Sacramento delegation.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER:—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 129, an Act to provide for the construction and maintenance of public roads in the County of Nevada ;

Also, Assembly bill No. 14, an Act concerning jurors.

DYER, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Chappell moved to take from the file Assembly bill No. 250, and refer it to the Judiciary Committee.

Adopted.

Mr. Walker offered the following resolution :

Resolved, that there be added to the Standing Rules and orders of this Assembly the following :

“RULE LXXIX.

“All bills, local or otherwise, which may have been referred to and reported upon favorably by any local delegation or special committee, shall, before they are finally acted upon by the House, be referred to and reported upon by the Standing Committee of the Assembly appropriate to the subject matter of the provisions of the bill.”

Lost.

REPORTS.

Mr. Wilcox, Chairman of the Committee on Public Lands, under a suspension of the rules, made the following report :

Mr. SPEAKER :—Your Committee on Public Lands, to whom was referred Assembly bill No. 268, an Act for the protection of parties purchasing lands of this State, and providing for resurveys of such lands in certain cases, report the same back to the House, and recommend that it pass ;

Also, Assembly bill No. 269, an Act supplementary to an Act entitled an Act to provide for the sale of certain lands belonging to this State, passed April twenty-seventh, eighteen hundred and sixty-three, report the same back to the House, and recommend its passage.

WILCOX, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, under a suspension of the rules, made the following report :

Mr. SPEAKER :—The Committee on Enrolment have examined, and report correctly enrolled, Assembly bill No. 212, an Act amendatory of an Act entitled an Act supplementary to an Act to incorporate the City of Los Angeles, approved February nineteenth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 260, an Act to authorize the successors in office of James F. Kennedy, deceased, late Sheriff of Santa Clara County, to execute deeds in certain cases ;

Also, Assembly bill No. 196, an Act supplementary to an Act entitled an Act concerning roads and highways in the County of San Mateo, approved April twenty-seventh, eighteen hundred and sixty-three ;

And presented the same to the Governor for his approval, on Saturday, February thirteenth, eighteen hundred and sixty-four.

The Committee have also examined, and found correctly enrolled, Assembly bill No. 213, an Act changing the time for holding the County and Probate Courts in the County of Amador ;

Also, Assembly bill No. 200, an Act to create a Board of Water Commissioners in the County of San Bernardino, and to define their duties ;

Also, Assembly bill No. 242, an Act to authorize the Board of Supervisors of the County of Sacramento to fund certain claims ;

And this day presented the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Badlam offered the following resolution :

Resolved, To amend Rule One of the Standing Rules of the Assembly, by striking out the word "eleven," in the first line, and inserting the word "ten."

Lost.

Mr. Perrin gave notice of the introduction of a bill for an Act to submit the question of the removal of the county seat of Mono County to the qualified voters thereof.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
February 13th, 1864. }

Mr. SPEAKER :—The Senate yesterday passed Senate substitute for As-

sembly bill No. 132, an Act more effectually to limit the time for the presentation and allowance of claims against counties ;

Also, passed Assembly bill No. 213, an Act changing the time for holding the County and Probate Courts in the County of Amador.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
February 13th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, passed Assembly bill No. 242, an Act to authorize the Board of Supervisors of the County of Sacramento to fund certain claims.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
February 15th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the thirteenth instant, passed Senate bill No. 67, an Act supplementary to an Act to provide for the disposition of the five hundred thousand acres of land granted this State by Act of Congress, passed April fourth, eighteen hundred and forty-one, passed May third, eighteen hundred and sixty-three, and of an Act entitled an Act to provide for the location of School Land warrants upon unsurveyed lands, and for issuance for title for the same, approved April eighteenth, eighteen hundred and fifty-nine ;

Also, same day, passed substitute for Senate bill No. 16, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers ;

Also, same day, passed Senate bill No. 143, an Act to legalize a certain contract between D. R. Ashley, late State Treasurer, and Wells, Fargo & Co.

Also, same day, passed Senate bill No. 105, an Act to grant the right to construct a turnpike road from Campo Seco to Mokelumne Hill, thence to the Big Tree road, near Big Meadows, in Calaveras County ;

Also, same day, passed Senate substitute bill No. 155, an Act concerning the Treasurer of Sacramento County ;

Also, same day, passed Assembly bill No. 174, an Act to submit the question of the removal of the county seat of Lake County to the qualified voters thereof ;

Also, same day, passed Assembly bill No. 228, an Act repealing an Act entitled an Act concerning the office of County Clerk in the County of Yolo, and restoring former Acts ;

Also, same day, passed Assembly bill No. 197, an Act to provide for assessing and collecting taxes in Alameda County ;

Also, same day, passed Assembly bill No. 171, An Act to fix the time for holding the County Court and Probate Court in the County of Marin ;

Also, same day, passed Assembly bill No. 181, an Act amendatory of and to extend the provisions of an Act entitled an Act authorizing John W. Sharp and his associates to construct a toll road from the eastern bank of the Sacramento River, near Georgiana Slough, to the Lower

Stockton Road, near Benson's Ferry, in the County of Sacramento, approved April fourteenth, eighteen hundred and sixty-three;

Also, same day, passed Assembly bill No. 121, an Act to reduce the penalty of the official bond of the Sheriff of Yuba County;

Also, same day, amended and passed Assembly bill No. 85, an Act for the relief of William B. Latham, Jr., and ask the concurrence of the Assembly in Senate amendments;

Also, same day, passed Assembly bill No. 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento;

Also, same day, passed Assembly bill No. 27, an Act for the construction of a bridge across the Mokelumne River at Benson's Ferry;

Also, same day, passed Senate bill No. 173, an Act to appropriate money to pay the claims of John Byrnes and others for material furnished and labor performed in fitting up the Supreme Court rooms, Judges' chambers, Clerk's office, and Attorney-General's office;

Also, same day, passed Senate bill No. 150, an Act to amend an Act entitled an Act concerning Courts of justice of this State and judicial officers, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, same day, passed Senate bill No. 156, an Act for the relief of Isaac F. Baker, Tax Collector of District Number Four, in and for Tuolumne County;

Also, same day, passed Senate bill No. 186, an Act amendatory of and supplementary to an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, same day, passed Senate bill No. 176, an Act relative to the office of District Attorney of the County of Sacramento;

Also, same day, passed Senate bill No. 183, an Act to amend an Act entitled an Act to provide for the construction of a wagon road in Mariposa County, approved February eleventh, eighteen hundred and sixty-three;

Also, same day, passed Senate bill No. 188, an Act to fix the terms of the County and Probate Court of Sacramento.

CHAS. WESTMORELAND,

Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 16, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 143, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 150, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 132, with Senate amendments, above reported, re-committed to the Judiciary Committee.

Senate bill No. 155, above reported, read first and second times, and ordered to General File.

Senate bill No. 176, above reported, read first and second times, and referred to the Sacramento delegation.

Senate bill No. 186, above reported, read first and second times, and referred to the Sacramento delegation.

Senate bill No. 188, above reported, read first and second times, and referred to the Sacramento delegation.

Senate bill No. 105, above reported, read first and second times, and referred to the Calaveras delegation.

Senate bill No. 156, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 173, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 67, above reported, read first and second times, and referred to the Committee on Public Lands.

Senate bill No. 183, above reported, read first and second times, and referred to the Mariposa delegation.

The House concurred in Senate amendments to Assembly bill No. 85, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hittell, for an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Walker of Alameda, for an Act amendatory of an Act entitled an Act regulating marriages, passed April twenty-second, eighteen hundred and fifty.

Read first and second times, and referred to the Committee on Public Morals.

By Mr. Wright, for an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Badlam, for an Act to provide for the publication and distribution of the annual reports of the State officers for the year eighteen hundred and sixty-four.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Scott of Alameda, for an Act to provide for the election of Township Assessors in the County of Alameda.

Read first and second times, and referred to the Alameda delegation.

By Mr. Winchester, for an Act to extend an Act concerning hogs found running at large in certain counties of this State.

Read first and second times, and referred to the Placer delegation.

By Mr. Van Leuven, for an Act to legalize the sale of a certain lot and building thereon, made by the Board of Supervisors of San Bernardino County, in the year eighteen hundred and sixty-two, to Willard T. Hughes, and authorize said Board to execute a deed to Almira L. Hughes, widow of the said W. T. Hughes, deceased, to certain real estate.

Read first and second times, and referred to the San Bernardino delegation.

By Mr. Wilsey, for an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Committee on Ways and Means.

The Speaker presented the following communication from the Controller of State :

OFFICE OF THE CONTROLLER OF STATE.

Sacramento, Cal , February 15th, 1864. }

To the Honorable W. H. SEARS,

Speaker of the Assembly :

SIR :—I deem it proper to inform the Assembly that the appropriation for contingent expenses of the Assembly for the fifteenth session, six thousand dollars, is exhausted. The expenditures for this purpose at the fourteenth session of the Legislature amounted to fourteen thousand six hundred and two dollars and sixty cents, (\$14,602 60.) I suggest that an additional appropriation of nine thousand dollars be made, for contingent expenses of Assembly for the fifteenth session.

Very respectfully,

GEO. OULTON, Controller.

On motion of Mr. Wilsey, the rules were suspended, and Assembly bill No. 230, an Act to repeal an Act entitled an Act to organize townships and regulate their powers and duties, and submit the same to vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers, and to provide for their term of office. was taken up, and the rules being again suspended, considered engrossed, read third time, and passed.

SPECIAL ORDER.

At twelve o'clock the House took up the special order of the day, Assembly bill No. 140, an Act for the preservation of the public health. The bill was considered by sections, to which amendments were adopted.

Pending consideration, Mr. Littlefield moved to adjourn.

Lost.

On motion of Mr. Littlefield, a count of the House was ordered.

A quorum was found present.

Finally, on motion of Mr. Langdon, the bill was recommitted to the Committee on Hospitals, with special instructions to insert a section providing for the disposal of all money collected as fines, and for the payment of all costs and expenses incurred under the provisions of this Act.

Mr. Dodson moved to suspend the rules and go into Committee of the Whole, for the purpose of further considering Assembly bill No. 271, an Act to provide for the collection and publication of agricultural and other statistics of the State.

The motion did not prevail.

The House, on motion of Mr. Badlam, took up the following

MESSAGES FROM THE GOVERNOR.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 15th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No 242 an Act to authorize the Board of Supervisors of the County of Sacramento to fund certain claims.

FRED'K F. LOW,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, February 15th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 180, an Act to fix the salary of the Superintendent of Common Schools in Placer County ;

Also, Assembly bill No. 71, an Act to provide for the collection of delinquent taxes in the County of Sierra ;

Also, Assembly bill No. 187, an Act to change the name of James Kinsman ;

Also, Assembly bill No. 192, an Act to confer further powers upon the Common Council of the City of San José ;

Also, Assembly bill No. 260, an Act to authorize the successors in office of James F. Kennedy, deceased, late Sheriff of Santa Clara County, to execute deeds in certain cases ;

Also, Assembly bill No. 212, an Act amendatory of an Act entitled an Act supplementary to an Act to incorporate the City of Los Angeles, approved February nineteenth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 196, an Act supplementary to an Act entitled an Act concerning roads and highways in the County of San Mateo, approved April twenty-seventh, eighteen hundred and sixty-three.

FRED'K F. LOW,
 Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, February 15th, 1864. }

To the Assembly of the State of California :

I herewith return, without my approval, Assembly bill No. 130, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, about one and three fourths miles above the Town of Jackson, in Amador County.

The general laws authorizing the formation of companies for the purpose of building plank and turnpike roads, are, in my judgment, amply sufficient for the purpose, and render wholly unnecessary the passage of special Acts like the one under consideration. I cannot approve bills, the only use of which would seem to be to encumber the statute books.

FRED'K F. LOW,
 Governor.

The consideration of the foregoing message, on motion of Mr. Wright, was made the special order for Thursday, February eighteenth, at one o'clock P. M.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, February 15th, 1864. }

To the Assembly of the State of California :

I herewith return, without my approval, Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect tolls thereon. The Act of eighteen hundred and fifty-three, "to authorize the formation of corporations for the construction of plank or turnpike roads," with the amendments that have since been made thereto, contain ample provision for the construction of roads of this character. Indeed, the bill under consideration provides for the incorporation of the company under the general law. When roads or

bridges can be built under and by virtue of general laws, I fail to see the necessity of passing special Acts to authorize the same thing to be done.

In my Inaugural I said: "Special legislation has been a crying evil in this State. A large proportion of each session of the Legislature has been consumed in listening to the advocates of relief bills, bills granting franchises and other special privileges, and bills even to advance the personal interests of criminals, litigants in civil cases, and the Administrators of the estates of deceased persons. The Legislature cannot judge as intelligently concerning the bridges, ferries, and roads of the several counties as can the county authorities, nor concerning the rights of parties in Courts as can the Judges thereof. Believing that bills of the character referred to are too often allied together, and passed by the joint efforts of the friends of all, I shall not hesitate to withhold my approval from any bill granting privileges which might have been granted under the general laws of the State by the Supervisors of the county therein concerned had they deemed it advisable, or any bill intended to aid parties in Court to favors denied them there. It may be that the general laws intended to confer upon Supervisors the authority requisite for the proper management of local concerns are, in some particulars, insufficient for the purpose. If it should so appear, the true remedy is to be found in proper amendments to those laws; but under the guise of a general law, no special interests should be subserved."

Believing, as I do, that ample provision has already been made by general laws for the purposes contemplated in this bill, I cannot give it my approval without violating my pledge to the people of this State.

FRED'K F. LOW,
Governor.

On motion of Mr. Wilcox, the consideration of the foregoing message was assigned as special order for the same day and hour next succeeding the preceding.

STATE OF CALIFORNIA. EXECUTIVE DEPARTMENT, }
Sacramento, February 15th, 1864. }

To the Assembly of the State of California:

I herewith return, without my approval, Assembly bill No. 148, an Act to authorize the Administrator of the estate of Maria Ygnacia Amador de Alvarado, deceased, to sell and convey real estate. The existing laws regulating sales of real estate belonging to the estates of deceased persons seem to me to be wise, and amply sufficient to cover all cases that may arise; and any departure therefrom is, in my judgment, unwise. The practice which has grown up in this State of passing special Acts of a character similar to the bill under consideration opens the door to fraud. Cases have fallen under my personal observation where such Acts have proved detrimental to the best interests of minor heirs. The Courts have ample power to order the sale of real estate when, in their judgment, it would be for the interest of the heirs; and the Legislature is less liable to be well informed regarding the merits of this class of cases than the Courts in the several counties where the property is situated. I am firmly of the opinion that no necessity exists for the passage of bills of the class under consideration, and I cannot conscientiously sign any bill of this character unless it should be demonstrated that by adhering to existing laws a great injury would inure to an estate.

FRED'K F. LOW,
Governor.

On motion of Mr. Scott of Alameda, the foregoing message was assigned for consideration to the same day and hour next after the preceding two.

GENERAL FILE.

Assembly bill No. 229, an Act to prevent the destruction of timber on the Public Lands in this State—read third time, and passed.

On motion of Mr. Whallon, Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River—made special order for Friday, February nineteenth, at twelve o'clock M.

Assembly bill No. 208, an Act to appropriate money to pay the claim of Benjamin P. Avery—considered in Committee of the Whole, (Mr. Badlam in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 227, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one—indeinitely postponed.

Assembly bill No. 226, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty.

Mr. Wright moved to indefinitely postpone the bill.

Mr. Wilcox moved to postpone the consideration of the bill until Wednesday, February twenty-fourth, at twelve o'clock M.

The ayes and noes were demanded, by Messrs Dodson, Whallon, and Rule, and the motion of Mr. Wilcox prevailed by the following vote:

AYES—Messrs. Allen, Badlam, Beanan, Brooks, Buffum, Chappell, Dickinson, Dodson, Dow, Dyer, Fraser, Green, Hittell, Jenison, Kendrick, Langdon, McColliam, Parker, Perley, Perrin, Smith of Nevada, Smith of Sonoma, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, and Wright—27.

NOES—Messrs. Brown of Amador, Brown of Tulare, Campbell of El Dorado, Clark, Devoe, Hartsough, Johnson, Littlefield, Ludlow, Personette, Redfield, Rule, Scott of Alameda, Snyder, Teare, Wason, and Whallon—18.

Senate bill No. 104, an Act to repeal a certain Act—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 235, an Act relative to Justices of the Peace in the City of Stockton—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 135, an Act relating to powers of attorney—ordered to third reading.

Senate bill No. 15—returned to file.

Assembly bill No. 248—returned to file.

Assembly bill No. 247—returned to file.

Assembly bill No. 224, an Act to preserve the rights of parties existing on the thirty-first day of December, A. D. eighteen hundred and sixty-three, under and by virtue of the laws then existing concerning

forcible entries and unlawful detainers—recommitted to the Judiciary Committee.

Assembly bill No. 161, an Act to authorize the Board of Supervisors of the County of Del Norte to issue certain bonds, and to provide for the payment of the principal and interest thereof—returned to file.

Assembly bill No. 266—returned to file.

Senate bill No. 96—returned to file.

Senate bill No. 87, an Act concerning Swamp and Overflowed Lands—recommitted to the Committee on Public Lands.

Assembly bill No. 150, an Act to create the County of Alpine, and provide for its organization—amendments adopted, and recommitted to the Committee on Counties and County Boundaries.

Assembly bill No. 266, an Act to authorize the payment of the claim of John T. Diossy for collating and compiling the revenue laws of this State—considered in Committee of the Whole, (Mr. Wright in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 159, an Act to appropriate money to pay the claim of A. Blossom—considered in Committee of the Whole, (Mr. Dodson in the Chair)

IN ASSEMBLY.

Reported and recommended, rules suspended, read third time, and passed.

Assembly bill No. 278, an Act for the relief of George Nelson—considered in Committee of the Whole, (Mr. Snyder in the Chair.)

IN ASSEMBLY.

Reported and recommended, and ordered engrossed and read third time.

Assembly bill No. 158, an Act to regulate the nomination of candidates for public offices—returned to file.

Assembly bill No. 194, an Act amending section fifteen of an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, as amended April twenty-fifth, eighteen hundred and sixty-three—recommitted to Committee on Military Affairs.

Assembly bill No. —, an Act to divide the County of Placer into Supervisor and Revenue Districts, and to provide for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 265, an Act to fix the compensation of the Board of Supervisors of Fresno County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 168, an Act relative to office of Sheriff of Sacramento County—returned to file.

Assembly bill No. 281, an Act relative to official bonds in San Luis Obispo County—returned to file.

Assembly bill No. 280, an Act to amend an Act concerning Teachers of Common Schools—rules suspended, considered engrossed, read third time, and passed.

The rules were suspended, and Assembly bill No. 281, an Act concerning the official bond of the County Clerk, Recorder, and Auditor, the Assessor, and Superintendent of Common Schools in the County of San Luis Obispo, was again taken up, and ordered engrossed and read third time.

Senate bill No. 142, an Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regulating the same, and to confer further powers upon the Auditor and Treasurer of said city and county, approved April twenty-seventh, eighteen hundred and sixty-three—recommitted to San Francisco delegation.

Assembly bill No. 185, an Act to amend an Act concerning the office of County Clerk, Sheriff, and County Recorder of the City and County of San Francisco, approved March seventh, eighteen hundred and fifty-nine—amendment adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 286, an Act to authorize the Guardian of certain minor children to sell and convey real estate—postponed until Friday, February nineteenth.

Mr. Buffum moved to suspend the rules to consider Assembly bill No. 140, an Act for the preservation of the public health, verbally reported with special amendment by the Committee on Hospitals.

Lost.

At four o'clock and three minutes p. m., there being no further business, on motion of Mr. Kewen, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, February 16th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

Indefinite leave of absence was granted to Mr Pratt; leave for two days to Mr. Watson; and leave for one day to Messrs. Rule and Sumner.

Mr. Fraser had leave to be recorded as present at roll call, although absent at that time.

REPORTS.

Mr. Wright, Chairman of the Committee on Elections, made the following report:

MR SPEAKER:—The Committee on Elections have considered Assembly bill No. 263, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one, and report the bill back without amendment, and recommend its passage.

WRIGHT, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 216, an Act supplementary to and amendatory of an Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools;

Also, Assembly bill No. 208, an Act to appropriate money to pay the claim of Benjamin P. Avery.

DYER, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report:

MR. SPEAKER:—The Committee on Roads and Highways, to whom was referred Assembly bill No. 270, an Act for the building of certain roads in the County of Monterey, beg leave to report that they have had said bill under consideration, together with the petition of the citizens of said county, and the certified action of the Board of Supervisors, requesting their Senators and Representatives to use their "strongest" efforts to have this bill pass, and as your committee are of the opinion that there is no general law that would confer the power asked for in said bill, and deeming it an act of justice to the citizens of said county, report the bill back, with the recommendation that it pass.

LUDLOW, Chairman.

Mr. Wilcox made the following report:

MR. SPEAKER:—The Mariposa delegation, to whom was referred Senate bill No. 183, an Act amendatory of and supplementary to an Act entitled an Act to provide for the construction of a wagon and turnpike road in Mariposa County, approved February nineteenth, eighteen hundred and sixty-three, have had the same under consideration, and beg leave to report the same back to the House, with the recommendation that it pass.

WILCOX, for Delegation.

Mr. Van Leuven made the following report:

MR. SPEAKER:—The San Bernardino delegation, to whom was referred Assembly bill No. 292, an Act to legalize the sale of certain property made by the Board of Supervisors of San Bernardino County in the year A. D. eighteen hundred and sixty-two, to W. T. Hughes, and to authorize said Board to execute a deed to Almira L. Hughes, have had the same under consideration, and beg leave to report the same back, and recommend its passage.

VAN LEUVEN, for Delegation.

Mr. Scott of Alameda made the following report:

MR. SPEAKER:—The Alameda delegation, to whom was referred Assembly bill No. 290, an Act to provide for the election of Township Assessors in the County of Alameda, have had the same under consideration, and beg leave to report it back, with a recommendation that it be passed.

SCOTT of Alameda, for Delegation.

Mr. Fraser, from the Committee on Counties and County Boundaries, made the following report :

MR. SPEAKER :—The Committee on Counties and County Boundaries, to whom was referred substitute for Assembly bill No. 150, an Act to create the County of Alpine, and define its boundaries, and to provide for its organization, beg leave to report the same back with amendments, and recommend the passage of the same, with the amendments thereto.

FRASER, for Committee.

Mr Hirst offered the following resolution :

Resolved, That when this House adjourn on February twentieth, that it adjourn to meet on Wednesday, February twenty-fourth.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
February 15th, 1864. }

MR. SPEAKER :—I am directed to inform the Assembly that the Senate this day passed Senate bill No. 217, an Act to regulate proceedings in civil cases in the Courts of justice of this State, approved April twenty-seventh, eighteen hundred and fifty-one ;

Also, same day, passed Senate bill No. 86, an Act to authorize the Board of Supervisors of Sutter County to construct a bridge across Butte Creek Slough ;

Also, same day, passed Senate bill No. 187, an Act to amend an Act entitled an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, same day, passed Senate bill No. 184, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and also, to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April thirtieth, eighteen hundred and fifty-five ;

Also, same day, passed Senate bill No. 136, an Act concerning the District Courts of this State ;

Also, same day, passed Assembly bill No. 124, an Act to provide for the support of the Fire Department of the City of Sacramento ;

Also, same day, passed Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, same day, passed Assembly bill No. 202, an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale ;

Also, same day, passed Assembly bill No. 210, an Act to amend an Act entitled an Act concerning estrays and animals running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three ;

Also, same day, passed Assembly concurrent resolution No. 9, respecting the Nome Lackee Indian Reservation

Also, same day, passed Assembly bill No. 218, an Act to fix the compensation of the Assessor of Santa Cruz County;

Also, same day, passed Assembly bill No. 117, an Act to exempt from forced sale certain property;

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 217, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 166, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 86, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Senate bill No. 184, above reported, read first and second times, and referred to the Committee on Corporations.

Senate bill No. 187, above reported, read first and second times, and referred to the Sacramento delegation.

Mr. Winchester gave notice of the introduction of a bill for an Act for the relief of E. C. Rodgers of Placer County.

Mr. Allen made the following report, under a suspension of the rules:

MR. SPEAKER:—The delegations from Tuolumne, San Joaquin, Stanislaus, and Mono Counties, to whom was referred Assembly bill No. 245, an Act to authorize certain parties therein named to construct and maintain a turnpike or toll road from Sonora, in Tuolumne County, to the State line, have had the same under consideration, and respectfully beg leave to report it back with amendments, and recommend its passage as amended.

ALLEN, for Delegations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Smith of Sonoma, for an Act to provide for and define the manner of collecting a tax to build a School-house in Court-house District, Sonoma County.

Read first and second times, and ordered to General File.

By Mr. Wason, for an Act to fix the salary of the County Superintendent of Public Schools in Solano County.

Read first and second times, and ordered to General File.

By Mr. Weston, for an Act to amend an Act entitled an Act to incorporate the town of Downieville, approved March eighteenth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Sierra delegation.

By Mr. Dodson, for an Act to appropriate money to improve the navigation of the Sacramento River.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Alley, for an Act to amend an Act passed May second, eighteen hundred and sixty-two, entitled an Act to grant the right to construct a turnpike road from the Town of La Porte, County of Sierra, through or near the Beckwith Pass, to the eastern boundary of the State.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Hittell, for an Act to provide for ascertaining the amount of fees paid to certain officers.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Clark, for an Act to provide for furnishing, in printed form, the poll and tally lists papers for election returns.

Read first and second times, and referred to the Committee on Elections.

GENERAL FILE.

Assembly bill No. 216, an Act supplementary to and amendatory of an Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools—read third time, and passed.

Assembly bill No. 134, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, approved March third, eighteen hundred and sixty-three.

Mr. Snyder moved to strike out "twenty-five," and insert "ten."

Adopted.

The bill was recommitted to the Committee on Ways and Means.

Senate bill No. 135, an Act relating to powers of attorney—read third time, and passed.

SPECIAL ORDER.

At twelve o'clock M., the House took up the special order of the day, Assembly bill No. 139, an Act to promote the study of anatomy.

Mr. Buffum moved to consider the bill by sections.

Mr. Martin moved to amend by recommitting to the Committee on Hospitals.

Mr. Owen demanded the previous question.

On sustaining the motion, the ayes and noes were demanded, by Messrs. Owen, Buffum, and Beaman, and the motion was lost, by the following vote:

AYES—Messrs. Badlam, Beaman, Brooks, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Dickinson, Dodson, Dow, Dutton, Hartsough, Jenison, Johnson, Kendrick, Langdon, Mebius, Owen, Perrin, Personette, Sepulveda, Smith of Sonoma, Teare, Walker of Alameda, Wason, Wilsey, and Winchester—30.

NOES—Messrs. Boulware, Brown of Amador, Chappell, Devoe, Erksen, Fraser, Gray, Green, Hill, Hittell, Hoag, Hubbard, Hunt, Hirst, Littlefield, Ludlow, Martin, McColliam, Parker, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Van Leuven, Van Schaick, Walker of Fresno, Weston, Wilcox, Whallon, and Wright—32.

The bill was considered in Committee of the Whole, (Mr. Cherry in the chair,) and amended.

IN ASSEMBLY.

Reported and recommended. The amendments in Committee of the Whole were adopted, and the bill ordered engrossed and read third time.

Mr. Wood rose to a question of privilege for the purpose of presenting an extract from the Oregon Intelligencer of February sixth, eighteen

hundred and sixty-four, inclosed in an explanatory letter from Brigadier-General George Wright, both of which were ordered inserted in the Journal.

HEADQUARTERS, DEPARTMENT OF PACIFIC, }
Sacramento, February 15th, 1864. }

SIR:—In the debates in the Assembly a few days since, I observe that my name, as well as that of my Adjutant-General, Colonel Drum, have been mentioned in connection with the resolution then under consideration.

I have served nearly twelve years on this coast, a portion of the time in command of the District and Department of Oregon, and for the past two and a half years in command of the Department of the Pacific, and this is the first time that my loyalty or devotion to the Union has ever been called in question. My Department is of vast dimensions, extending from the British possessions in the north, to the borders of the Republic of Mexico in the south, and from the Pacific Ocean on the west, to the Rocky Mountains, including the great States of California and Oregon, with the Territories of Washington, Idaho, Nevada, Utah, and a portion of Arizona; a million of square miles, with about sixty military stations, some of them more than two thousand miles apart. To those unacquainted with the routine of military duties, it is difficult to impress the fact, that it requires the most untiring labor and watchfulness to keep all these posts supplied, and to distribute five thousand troops over such an extent of country so as to afford protection for remote settlers against hostile Indians, and at the same time to be prepared to meet foes from without or traitors within. I certainly feel gratified that all my acts since I assumed command of this Department have received the most unqualified approval of my Government. Identified as I am with the people on this coast, I have labored most assiduously to preserve peace and quiet; and I point with pride to the present condition of affairs in this Department. I have not attempted to please all, but, guided by what I believed to be for the best interests of the country, I have pursued a course which thus far I have seen no cause to regret.

As for Colonel Drum and the other officers of my staff, their loyalty is too well established to be injured by fault-finding politicians. As for myself, I shall never stoop to defend my loyalty. I am not to be read out of the Union ranks. I have served long, in peace and in war; I have fought and bled under the old flag, and if I could harbor a thought, save for the honor of that flag, and the prosecution of this war until the rebellion is entirely crushed, the very Green Mountains of my native State would rise up in judgment against me.

Inclosed is a slip from the Oregon Intelligencer, referring to an advertisement which was published from my headquarters a few weeks since, and which was commented on in the Assembly debates.

With great respect, your most obedient servant,
G. WRIGHT.

Honorable JOSEPH WOOD, Chairman of Military Committee of the Assembly, Sacramento.

“THAT ADVERTISEMENT.—For the purpose once for all we say, General Wright, General Drum, nor no other man, ever sent to the Oregon

Intelligencer a military order to be published, by authority, or any other way, nor was the order referred to copied into the Intelligencer from the Marysville Express; it was taken from the Sacramento Union, and published by us as a matter of news and information, particularly for this locality, as there was an office opened at this place for the enlistment of volunteers; and we thought that the more general was the circulation of the order, the better would the people be informed of what amount of bounty they would receive."

The following communication was presented by Mr. Snyder :

SAN FRANCISCO, February 15th, 1864.

MY DEAR SIR :—I have written to Mr. Yule, saying that I would address the Legislature "on matters pertaining to the geological survey," on Thursday evening (February eighteenth) next, at eight P. M., if that time was convenient. Please arrange with Mr. Yule for some other night, if there are any objections to Thursday, and let me know by return mail.

Very respectfully, your obedient servant,
J. D. WHITNEY.

J. N. SNYDER, Esq., Chairman, etc.

GENERAL FILE RESUMED.

Senate bill No. 15, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and other Acts amendatory thereof—indeinitely postponed.

Assembly bill No. 248, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State—ordered engrossed and read third time.

Assembly bill No. 247, an Act to authorize the Executors of the last will and testament of Elias S. Cooper, deceased, to sell and convey real estate—postponed till Friday, February nineteenth, for consideration with kindred bills.

Senate bill No. 161, an Act to authorize the Board of Supervisors of the County of Del Norte to issue certain bonds, and to provide for the payment of the principal and interest thereof—rules suspended, read third time, and passed

- Senate bill No. 266, an Act amendatory of and supplementary to an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—referred to Sacramento delegation.

Senate bill No. 96, an Act to appropriate money to pay the claim of H. B. Chambers—rules suspended, read third time, and passed.

Assembly bill No. 268, an Act for the protection of parties purchasing lands of this State, and providing for the resurveys of such lands in certain cases—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 269, an Act supplemental to an Act entitled an Act to provide for the sale of certain lands belonging to this State, passed April twenty-seventh, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 155, an Act relative to the office of County Treasurer of the County of Sacramento.

Mr. Brown of Amador moved to refer to the Sacramento delegation.
Lost.

Bill ordered to third reading.

Assembly bill No. 158, an Act to regulate the nomination of candidates for public office—indefinitely postponed.

Assembly bill No. 168, relative to the Sheriff of Sacramento County—returned to file.

Assembly bill No. 140, an Act for the preservation of the public health—amendments adopted, rules suspended, and considered engrossed.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Devoe, Dyer, and Wright.

By unanimous consent, Mr. Wright introduced the following amendment: "To be brought in the name of said Board."

Adopted.

Similarly the House adopted an amendment offered by Mr. Buffum, to add, "or Board of any city or county," after the word "village," in section one.

Mr. Hirst moved to refer the bill with special instructions, offered by Mr. Hirst, as section fourteen of the bill:

"Section 14. This Act shall not apply to the Counties of Klamath, Del Norte, Shasta, Trinity, Calaveras, El Dorado, Fresno."

Mr. Brown of Amador moved to add "Amador" to the amendment.

Lost.

On the question of reference, the ayes and noes were demanded, by Messrs. Winchester, Scott of Alameda, and Ludlow, and the House refused to recommit by the following vote:

AYES—Messrs. Beaman, Brown of Tulare, Campbell of El Dorado, Chappell, Dickinson, Dow, Dyer, Hittell, Hirst, Kendrick, Langdon, Ludlow, Martin, McColliam, Parker, Personette, Sepulveda, Smith of Sonoma, Teare, Van Leuven, and Walker of Fresno—21.

NOES—Messrs. Badlam, Boulware, Brooks, Brown of Amador, Buffum, Castro, Clark, Clayton, Devoe, Dodson, Dutton, Erkson, Gray, Green, Hubbard, Johnson, Littlefield, Mebius, Owen, Perley, Perrin, Redfield, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Van Schaick, Walker of Alameda, Wason, Weston, Wilsey, Winchester, Whallon, Wood, and Wright—37.

The bill passed by the following vote, the ayes and noes being demanded as before recorded:

AYES—Messrs. Badlam, Beaman, Boulware, Brooks, Buffum, Castro, Clark, Dodson, Dutton, Erkson, Gray, Green, Hartsough, Hittell, Hubbard, Littlefield, McColliam, Mebius, Owen, Perley, Perrin, Redfield, Rule, Scott of Alameda, Smith of Nevada, Tukey, Van Schaick, Walker of Alameda, Wason, Weston, Wilcox, Wilsey, Winchester, Whallon, and Wright—35.

NOES—Messrs. Brown of Amador, Brown of Tulare, Campbell of El Dorado, Chappell, Clayton, Devoe, Dickinson, Dow, Dyer, Hoag, Hirst, Johnson, Kendrick, Langdon, Ludlow, Martin, Parker, Personette, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Van Leuven, Walker of Fresno, and Wood—26.

Mr. Owen moved to go into Committee of the Whole and take up a certain bill.

Mr. Martin moved to adjourn.

On which, Messrs. Owen, Martin, and Van Schaick, demanded the ayes and noes, and the House, at three o'clock and five minutes p. m. agreed, by the following vote:

AYES—Messrs. Beaman, Brown of Amador, Campbell of El Dorado, Chappell, Clark, Devoe, Dickinson, Dow, Dyer, Hittell, Hoag, Hubbard, Hirst, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Martin, Parker, Perrin, Personette, Redfield, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Van Leuven, Walker of Fresno, Weston, and Wood—33.

NOES—Messrs. Badlam, Boulware, Brooks, Brown of Tulare, Buffum, Castro, Clayton, Dodson, Dutton, Erkson, Gray, Green, Hartsough, McColliam, Mebius, Owen, Perley, Scott of Alameda, Smith of Nevada, Tukey, Van Schaick, Walker of Alameda, Wason, Wilsey, Winchester, Whallon, and Wright—28.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, February 17th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

Leave of absence for one day was granted to all absentees.

Journal of yesterday read and approved.

PETITIONS.

Mr. Wood presented a petition of citizens of San Francisco, in favor of increased School accommodations.

Referred to the San Francisco delegation.

Mr. Boulware presented a petition of citizens of Butte and Sutter Counties, relative to certain taxes.

Referred to the Judiciary Committee.

Mr. Van Leuven presented a petition of citizens of San Bernardino County, praying the levy of a special tax for county purposes.

Referred to San Bernardino delegation.

Mr. Rule presented a petition of citizens of Grass Valley, in favor of a repeal of the Act incorporating that town.

Referred to Nevada delegation.

Mr. Rule presented a remonstrance of other citizens against the repeal.

Referred to Nevada delegation.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 249, an Act to provide for funding the indebtedness of the County of Tehama ;

Also, Assembly bill No. 185, an Act to amend an Act concerning the office of County Clerk, Sheriff, and County Recorder of the City and County of San Francisco, approved March seventh, eighteen hundred and fifty-nine ;

Also, Assembly bill No. 230, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers, and to provide for their term of office ;

Also Assembly bill No. 235, an Act relative to Justices of the Peace in the City of Stockton ;

Also, Assembly bill No. 262, an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State ;

Also, Assembly bill No. 237, an Act to divide the County of Placer into Supervisor and Revenue Districts, and to provide for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith ;

Also, Assembly bill No. 265, an Act to fix the compensation of the Board of Supervisors of Fresno County ;

Also, Assembly bill No. 278, an Act for the relief of George Nelson ;

Also, Assembly bill No. 280, an Act to amend an Act concerning Teachers of Common Schools in this State ;

Also, Assembly bill No. 281, an Act concerning the official bonds of the County Clerk, Recorder, and Auditor, the Assessor, and Superintendent of Common Schools of the County of San Luis Obispo.

DYER, Chairman.

Assembly bill No. 281, above reported, was taken up under suspension of the rules, amended by unanimous consent, read third time, and passed,

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims have had under consideration Assembly bill No. 276, an Act to appropriate money to pay the claim of Phil Cadue. According to the evidence presented, there can be no doubt but that the ice was delivered to the Supreme Court, but doubting the liability of the State in the matter, the committee report adversely to the claim ;

Also, Senate bill No. 138, an Act for the relief of Marcuse and Baltzar, and beg leave to report it back to the House, and recommend its passage.

CAMPBELL of El Dorado, Chairman.

Assembly bill No. 276, above reported, was recommitted to the Committee on Claims.

Mr. Brown of Amador, from the Committee on Internal Improvements, made the following report :

MR. SPEAKER :—Your Committee on Internal Improvements, to whom was referred Assembly bill No. 273, an Act respecting the Owens' River Canal Company, have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute.

BROWN of Amador, for Committee.

Mr. Teare made the following report :

MR. SPEAKER :—We, the Committee of Free Conference on the disagreement between the Senate and Assembly concerning Senate amendments to Assembly concurrent resolutions No. 13, beg leave to submit the following report :

After due deliberation upon numerous propositions, the following conclusions were arrived at by the two committees :

First—That the Senate should recede from their first three amendments, which are : 1st—To strike out the words "the political heresy," in the second line, (printed copy,) and substitute the words "as heretical the claim;" 2d—To strike out the words "when brought in conflict with," second line, (printed copy,) and substitute the words "as paramount to;" 3d—To strike out after the word "sphere," the word "but," in third line, (printed copy;) and that the Assembly should accept the fourth, which is to strike out the word "and," after the word "Government," in sixth line, (printed copy.)

Second—That the Senate should recede from their amendments to subdivisions third and fourth, in resolution third, which are : 1st—In the third subdivision, after the word "the," add the words "policy of the," also strike out the word "Act," and substitute "laws;" 2d—In the fourth subdivision, after the word "the," add the words "policy of the."

Third—That the following substitute should be adopted to supply the place of the eighth subdivision of resolution third, to wit :

"We indorse the financial policy of the Government and the Legal Tender Law as *the* great administrative measures for successfully carrying on the war against the rebellion, and which we pledge ourselves to defend and uphold."

Fourth—That the Assembly should accept Senate amendment to the tenth subdivision of resolution third, which is to strike out all after the word "Union," in the first line, (printed copy)

Fifth—That the following should be adopted as a substitute for the seventh subdivision of the fifth resolution :

"Because it precludes the possibility of any peace which shall acknowledge the existence or re-establishment of slavery in any part of the rebellious territory covered by the Emancipation Proclamation."

Sixth—That the following should be adopted as a substitute for the seventh resolution :

"That we indorse that construction of the Confiscation Law which has for its object the unconditional forfeiture of the property of the

rebels, and our Senators are hereby instructed and our Representatives in Congress requested to urge its adoption."

Seventh—That the Assembly should accept Senate amendment to the tenth resolution, which is to strike out after the word "invoke," in fifth line. (printed copy,) "him to adopt."

All of which is respectfully submitted for the consideration of the Assembly.

TEARE,
Chairman of Assembly Committee;
FOULKE,
Chairman of Senate Committee.

Mr. Wiley moved that the report be adopted.

On which, the ayes and noes were demanded, by Messrs. Whallon, Lux, and Wilcox, and the report was adopted, by the following vote :

AYES—Messrs. Badlam, Beaman, Bowman, Boulware, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Clark, Devoe, Dow, Dyer, Erksen, Fraser, Green, Hartsough, Hill, Hittell, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Lux, Martin, Mebius, Owen, Perley, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Winchester, Wood, Wright, and Mr. Speaker—55.

NOES—Messrs. Brown of Tulare, Dickinson, Hoag, Kendrick, Kewen, Sepulveda, Smith of Sonoma, Walker of Fresno, and Whallon—9.

The rules were suspended for the following resolution, offered by Mr. Teare :

Resolved, That his Excellency the Governor be requested to telegraph immediately to the President of the United States, our Senators, and Representatives at Washington, the substance of concurrent resolutions No. 13.

Mr. Martin moved to make the resolution concurrent.

Adopted.

Mr. Smith of Nevada offered the following as a substitute :

Resolved, That Governor Low be and is hereby authorized to telegraph to President Lincoln the following words: "The Campbell patriotic resolutions, without material change, have this day passed the Senate and Assembly."

After sundry amendments, the resolution was adopted.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 202, an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale ;

Also, Assembly bill No. 124, an Act to provide for the support of the Fire Department of the City of Sacramento;

Also, Assembly bill No. 218, an Act to fix the compensation of the Assessor of Santa Cruz County;

Also, Assembly bill No. 27, an Act for the construction of a bridge across the Mokelumne River, at Benson's Ferry;

Also, Assembly bill No. 210, an Act to amend an Act entitled an Act concerning estrays and animals running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three;

Also, Assembly bill No. 121, an Act to reduce the penalty of the official bond of the Sheriff of Yuba County;

Also, Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 181, an Act amendatory of and to extend the provisions of an Act entitled an Act authorizing John W. Sharp and his associates to construct and maintain a toll road from the eastern bank of the Sacramento River, near Georgiana Slough, to the Lower Stockton Road, near Benson's Ferry, in the County of Sacramento, approved April fourteenth, eighteen hundred and sixty-three;

Also, Assembly bill No. 174, an Act to submit the question of the removal of the county seat of Lake County, to the qualified voters thereof;

Also, Assembly bill No. 171, an Act to fix the time of holding the County Court and Probate Court in the County of Marin;

Also, Assembly bill No. 197, an Act to provide for assessing and collecting taxes in Alameda County;

Also, Assembly bill No. 228, an Act repealing an Act entitled an Act concerning the office of County Clerk in the County of Yolo, approved April fourteenth, eighteen hundred and sixty-three, and restoring former Act;

Also, Assembly bill No. 85, an Act for the relief of W. B. Latham, Jr

Also, Assembly bill No. 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento;

Also, Assembly bill No. 117, an Act to exempt from forced sale certain property;

And this seventeenth day of February, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

MOTIONS AND RESOLUTIONS.

Mr. Hittell offered the following resolution :

Resolved, That the Committee on Ways and Means be instructed to report the general appropriation bill and Assembly bill No. 22, to tax the mines, before the twenty-seventh instant.

On motion of Mr. Martin, laid on the table.

Mr. Erkson offered the following resolution :

Resolved, That the Committee of the Whole be discharged from the further consideration of Assembly bill No. 271, relating to the collection of Agricultural statistics, and that the same be placed at the top of the file for to-morrow.

Mr. Wright called for a division of the question.

Mr. Martin moved to postpone the consideration of the resolution until to-morrow.

The Speaker pro tem in the Chair, decided the motion out of order.

From which decision Mr. Martin appealed.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" Messrs. Martin, Erkson, and Snyder, demanded the ayes and noes, which were taken, with the following result :

AYES—Messrs. Badlam, Beaman, Bowman, Boulware, Castro, Erkson, Hartsough, Hill, Hittell, Hunt, Jenison, Johnson, Kewen, Langdon, Perley, Rhoads, Smith of Sonoma, Walker of Alameda, Wason, Watson, Wilcox, Winchester, and Wright—23.

NOES—Messrs. Brown of Tulare, Clark, Devoe, Dow, Hittell, Hubbard, Kendrick, Martin, Mebius, Smith of Nevada, Snyder, Weston, and Wood—13.

No quorum voting,

Mr. Martin moved a call of the House.

Lost.

Mr. Beaman moved to adjourn

On which, Messrs. Winchester, Boulware, and Badlam, demanded the ayes and noes, and the motion was lost, by the following vote :

AYES—Messrs. Beaman, Castro, Hittell, Hoag, Hubbard, Johnson, Kendrick, Kewen, Littlefield, Martin, Mebius, Rhoads, Scott of Siskiyou, Smith of Sonoma, Snyder, Teare, Weston, Wilcox, Whallon, and Wood—20.

NOES—Messrs. Badlam, Bowman, Boulware, Brown of Amador, Brown of Tulare, Chappell, Clark, Devoe, Dow, Dyer, Erkson, Green, Hartsough, Hill, Hunt, Hirst, Jenison, Johnson, Kewen, Langdon, Perley, Smith of Nevada, Tukey, Van Leuven, Walker of Alameda, Wason, Winchester, and Wright—25.

The ayes and noes were again called on sustaining the decision of the Chair, with the following result :

AYES—Messrs. Badlam, Beaman, Bowman, Boulware, Buffum, Campbell of El Dorado, Castro, Chappell, Clark, Erkson, Green, Hartsough, Hill, Hunt, Hirst, Jenison, Johnson, Kewen, Langdon, Perley, Rhoads, Smith of Sonoma, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Wilcox, Winchester, and Wright—30.

NOES—Messrs. Devoe, Dow, Dyer, Hittell, Hubbard, Kendrick, Littlefield, Martin, Mebius, Smith of Nevada, Snyder, Teare, Weston, and Wood—14.

And the Chair was sustained.

Mr. Martin moved to postpone one week.

On which, the ayes and noes were demanded, by Messrs. Martin, Snyder, and Redfield, and the House agreed, by the following vote :

AYES—Messrs. Beaman, Brown of Amador, Chappell, Clark, Devoe, Dickinson, Dow, Dyer, Fraser, Hill, Hittell, Hubbard, Hirst, Kendrick,

Langdon, Littlefield, Lux, Martin, Mebius, Redfield, Rule, Scott of Siskiyou, Snyder, Teare, Van Leuven, Weston, and Wright—27.

NOES—Messrs. Badlam, Boulware, Brown of Tulare, Buffum, Castro, Erkson, Green, Hartsough, Jenuison, Johnson, Perley, Rhoads, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Van Schaick, Walker of Alameda, Wason, Watson, Winchester, and Wood—21.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
February 17th, 1864. }

Mr. SPEAKER:—I am directed by the Senate to inform the Assembly that the Senate has this day adopted the report of the Committee of Free Conference on the disagreeing vote on Assembly resolutions No. 13.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
February 16th, 1864. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate, this day, amended and passed Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
February 17th, 1864. }

Mr. SPEAKER:—I am directed to inform the Assembly that, on the twelfth instant, the Senate passed Senate bill No. 116, an Act amendatory of and supplementary to an Act entitled an Act to provide for the improvement and protection of the wharves, docks, and water front, in the City and County of San Francisco, approved April twenty-fourth, eighteen hundred and sixty-three.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
February 16th, 1864. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate, on the fifteenth instant, passed Senate bill No. 204, an Act to exempt active and exempt firemen from jury duty in the County of Nevada;

Also, same day, passed Senate substitute for Senate bill No. 98, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and sixty-three;

I also deliver certain documents relative to the claim of John Byrnes and others, for labor performed and materials furnished in fitting up the Supreme Court room, Attorney-General's office, Judges' chambers, etc.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 116, above reported, read first and second times, and referred to Committee on Commerce and Navigation.

Senate bill No. 98, above reported, read first and second times, and referred to Committee on Roads and Highways.

Senate bill No. 204, above reported, read first and second times, and referred to the Nevada delegation.

Assembly bill No 209, above reported with Senate amendments, ordered to General File.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Van Leuven, for an Act to levy a tax on all the taxable property in the County of San Bernardino, for the purpose of building or repairing the County Jail of said county.

By Mr. Clark, for an Act to create, define the boundaries, and organize the County of Lassen.

FURTHER REPORTS.

Mr. Hill made the following report :

MR. SPEAKER :—The Santa Barbara delegation, to whom was referred Assembly concurrent resolution relative to mail route in Southern California, beg leave to report a substitute, and recommend its passage.

HILL, for Delegation.

Mr. Weston made the following report :

MR. SPEAKER :—The Sierra delegation, to whom was referred Assembly bill No. 196, entitled an Act to amend an Act to incorporate the Town of Downieville, approved March eighteenth, eighteen hundred and sixty-three, having had the same under advisement, report it back to the House with an amendment, recommending its passage.

WESTON, for Delegation.

The rules were suspended, and Mr. Teare offered a concurrent resolution, granting six months leave of absence to A. J. Baber, Township Collector and Assessor in El Dorado County.

Adopted.

Mr. Bowman introduced a bill for an Act to establish the lines and grades of streets in the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

SPECIAL ORDER.

The House at two o'clock took up the special order of the day, Assembly bill No. 164, an Act amendatory of and supplementary to an Act entitled an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three.

Mr. Wright moved a call of the House.

So ordered.

The following members were found absent—Messrs. Allen, Alley, Brooks, Campbell of San Francisco, Cherry, Clark, Clayton, Dickinson, Dodson, Dutton, Gray, Hittell, Hoag, Hubbard, Hunt, Johnson, Kewen,

Ludlow, Lynch, Martin, McColliam, Mitcheli, Owen, Parker, Perrin, Personette, Pratt, Sepulveda, Smith of Nevada, Sumner, Van Schaick, Walker of Fresno, Wason, Wilsey, and Wood.

Mr. Littlefield moved to adjourn.

Lost.

Further proceedings under the call were dispensed with.

The amendments reported to the bill under consideration were then adopted, and the bill ordered engrossed and read third time.

GENERAL FILE.

Senate bill No. 155, an Act relative to the office of County Treasurer of the County of Sacramento.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Badlam, Weston, and Rhoads.

Mr. Wright moved to postpone one week from to-day.

Lost.

The bill was lost by the following vote:

AYES—Messrs. Boulware, Campbell of San Francisco, Castro, Chapell, Clark, Dow, Dyer, Erkson, Green, Hartsough, Hill, Hittell, Hirst, Jenison, Lux, Mebius, Perley, Teare, Tukey, Wason, Watson, and Wiley—22.

NOES—Messrs. Badlam, Beaman, Bowman, Brown of Amador, Brown of Tulare, Devoe, Dickinson, Fraser, Johnson, Kendrick, Langdon, Martin, Redfield, Rhoads, Rule, Sepulveda, Smith of Sonoma, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Winchester, and Wright—24.

Mr. Wilcox gave notice of a motion to reconsider.

Assembly bill No. 263, an Act relative to Senatorial and Assembly Districts of this State—returned to file.

Assembly bill No. 270, an Act for the building and improvement of certain roads in the County of Monterey—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 183, an Act amendatory of and supplementary to an Act entitled an Act to provide for the construction of a wagon and turnpike road in Mariposa County, approved February eleventh, eighteen hundred and sixty-three—rules suspended, read third time, and passed.

Assembly bill No. 292, an Act to legalize the sale of a certain lot and building thereon, made by the Board of Supervisors of San Bernardino County, in the year eighteen hundred and sixty-two, to Willard T. Hughes, and to authorize said Board to execute a deed to Almira L. Hughes, widow of the said Willard T. Hughes, deceased, to certain real estate—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 290, an Act to provide for the election of Township Assessors in the County of Alameda—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 245, an Act to grant to certain parties therein named the right to construct and maintain a turnpike or toll road from the Town of Sonora, in Tuolumne County, to the State line, in Mono County—amendments adopted, and ordered engrossed and printed.

Assembly bill No. 150, an Act to create the County of Alpine, to de-

fine its boundaries, and to provide for its organization—amendments adopted, and ordered engrossed and read third time.

Assembly bill No. 295, an Act to provide for and to define the manner of collecting a tax to build a School-house in Court-house District, Sonoma County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 297, an Act to fix the salary of the County Superintendent of Public Schools in Solano County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 168, an Act to separate the office of Collector of Taxes from the office of Sheriff of Sacramento County—indefinitely postponed.

Mr. Martin made the following report under a suspension of the rules :

MR. SPEAKER :—The Nevada delegation, to whom was referred Senate bill No. 204, an Act to exempt active firemen from jury duty in the County of Nevada, report the same back, and recommend its passage.

MARTIN, for Delegation.

At four o'clock and twenty minutes P. M., on motion of Mr. Winchester, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 18th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

Leave of absence was granted to Mr. Hill for two days, and to Mr. Owen for three days.

Messrs. Dodson, Dutton, Gray, Perrin, Ludlow, Brooks, Allen, Alley, Parker, Sumner, Cherry, Wilsey, Clayton, and McColliam, had leave to be recorded as having voted affirmatively on the adoption of the report of the Committee of Free Conference on Assembly concurrent resolutions No. 13.

Mr. Wilcox moved to reconsider the vote whereby Senate bill No. 155, relative to the Treasurer of Sacramento County, was lost.

Mr. Badlam moved to indefinitely postpone the motion.

Messrs. Brown of Amador, Devoe, and Littlefield, demanded the ayes and noes, and the House refused, by the following vote :

AYES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Campbell of El Dorado, Clayton, Devoe, Dickinson, Dutton, Fraser, Hittell, Hoag, Johnson, Kendrick, Langdon, Perrin, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Sonoma, Sumner, Van Leuven, Walker of Alameda, Weston, Winchester, and Wright—28.

NOES—Messrs. Allen, Alley, Boulware, Brown of Tulare, Buffum, Castro, Chappell, Clark, Dodson, Dow, Dyer, Gray, Hartsough, Hubbard,

Hunt, Hirst, Jenison, Kewen, Littlefield, Ludlow, Lux, Mobius, Parker, Perley, Smith of Nevada, Snyder, Teare, Tukey, Walker of Fresno, Wason, Watson, Wilcox, Wiley, Wilsey, and Whallon—35.

Mr. Wilcox objected to certain words used in debate by Mr. Wright, and they were taken down by the Clerk as follows: "That a portion of the members of this House ought to be hung."

Mr. Martin moved the subject matter be laid on the table.

Carried.

Mr. Wright moved to postpone the consideration of the motion to reconsider until Wednesday, February twenty-third, at twelve o'clock.

Messrs. Scott of Alameda, Beaman, and Rhoads demanded the ayes and noes, and it was so ordered, by the following vote:

AYES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Brown of Tulare, Buffam, Campbell of El Dorado, Chappell, Cherry, Clayton, Dickinson, Dutton, Erkson, Fraser, Gray, Green, Hittell, Hoag, Hubbard, Jenison, Johnson, Kendrick, Ludlow, McColliam, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Weston, Winchester, Wood, and Wright—41.

NOES—Messrs. Allen, Alley, Boulware, Campbell of San Francisco, Castro, Clark, Devoe, Dodson, Dow, Dyer, Hartsough, Hunt, Hirst, Kewen, Langdon, Lux, Mobius, Parker, Perley, Sepulveda, Snyder, Teare, Tukey, Walker of Fresno, Wason, Watson, Wilcox, Wiley, Wilsey, and Whallon—30.

Mr. Clayton presented a petition from the scholars of Rincon School, in the City of San Francisco, relative to School accommodations.

Referred to the San Francisco delegation.

SPECIAL ORDER.

At twelve o'clock, the special order of the day, Assembly bill No. 246 was postponed until the General File was reached.

REPORTS.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred Assembly bill No. 293, an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two, have had the same under consideration, and ask leave to report it back, with a recommendation that it pass;

They have also considered Assembly bill No. 300, an Act to provide for ascertaining the amount of fees paid to certain officers, and ask leave to report the same back without recommendation.

ALLEN, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

Mr. SPEAKER :—Your Committee on Ways and Means, to whom was referred Assembly bill No. 22, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, passed May seventeenth, eighteen hundred and sixty-one, have had the same under consideration, and report it back, with the recommendation that it be indefinitely postponed.

ALLEN,
Chairman,
PERRIN,
PARKER,
MARTIN,
LUDLOW.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

Mr. SPEAKER :—The Committee on Ways and Means have again considered Assembly bill No. 22, an Act to amend the revenue law, so that mining claims shall be taxed

It has been assumed by the Legislature, at previous sessions, that mining claims could not be taxed constitutionally ; but during the debate preceding the second reference, all parties in the House assumed that the constitutionality was an open question.

The Constitution has made a solemn and public promise to all classes of people in the State that all kinds of property should be taxed equally. If mining claims be property, within the meaning of the word as used in the State Charter, any further exemption will be a most grievous violation of the rights of those citizens who do not own mining claims.

The best and only conclusive authority to decide the question is the Supreme Court, and to obtain their decision, we recommend the passage of the bill.

ALLEN,
Chairman,
DODSON,
CLAYTON,
DUTTON.

Mr. Martin moved to suspend the rules, and consider the bill above reported.

Mr. Dodson moved to postpone the consideration of the bill and reports thereon until February twenty-sixth, at twelve o'clock M.

On which, Messrs. Scott of Siskiyou, Littlefield, and Beaman, demanded the ayes and noes, and the motion was lost, by the following vote :

AYES—Messrs. Boulware, Brooks, Cherry, Clayton, Devoe, Dodson, Dutton, Erkson, Hittell, Jenison, Johnson, McColliam, Perley, Scott of Alameda, Van Leuven, Van Schaick, Walker of Alameda, Wason, Winchester, and Wright—20

NOES—Messrs. Allen, Alley, Badlam, Beaman, Brown of Amador, Bufum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Clark, Dickinson, Dow, Fraser, Gray, Green, Hoag, Hubbard, Hunt, Hirst, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Siskiyou, Sepulveda,

Smith of Nevada, Snyder, Sumner, Teare, Tukey, Walker of Fresno, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wood—47.

On suspending the rules, the ayes and noes were demanded, by Messrs. Wright, Scott of Alameda, and Martin, and the motion prevailed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Clark, Clayton, Dickinson, Dodson, Dow, Dyer, Fraser, Gray, Green, Hartsough, Hubbard, Hunt, Hirst, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Perrin, Personette, Redfield, Rule, Scott of Siskiyou, Sepulveda, Snyder, Sumner, Teare, Tukey, Walker of Fresno, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wood—49.

NOES—Messrs. Bowman, Boulware, Brooks, Devoe, Dutton, Erksion, Hittell, Jenison, Johnson, McColliam, Perley, Rhoads, Scott of Alameda, Smith of Nevada, Van Leuven, Van Schaick, Walker of Alameda, Wason, Winchester, and Wright—20

Mr. Martin moved the indefinite postponement of the bill.

Mr. Beaman moved the previous question.

On which, Messrs. Scott of Alameda, Wason, and Beaman, demanded the ayes and noes, and the House refused to sustain, by the following vote:

AYES—Messrs. Alley, Beaman, Brown of Tulare, Buffum, Campbell of San Francisco, Chappell, Cherry, Dickinson, Hoag, Hubbard, Hunt, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Parker, Personette, Redfield, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Sumner, Tukey, Walker of Fresno, Weston, and Wilsey—31.

NOES—Messrs. Boulware, Brooks, Brown of Amador, Campbell of El Dorado, Castro, Clark, Clayton, Dodson, Dow, Dutton, Erksion, Fraser, Hartsough, Hittell, Hirst, Jenison, Johnson, McColliam, Mebius, Perley, Perrin, Rhoads, Scott of Alameda, Smith of Nevada, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Wiley, Winchester, Wood, and Wright—33.

On the indefinite postponement of the bill, Messrs. Hittell, Van Schaick, and Wason, demanded the ayes and noes, and the bill was so disposed of, by the following vote:

AYES—Messrs. Alley, Beaman, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Dickinson, Dow, Dyer, Fraser, Gray, Hoag, Hubbard, Hirst, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Parker, Perrin, Personette, Redfield, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Fresno, Watson, Weston, Wilcox, Wiley, Wilsey, and Wood—46

NOES—Messrs. Allen, Boulware, Brooks, Castro, Clayton, Dodson, Dutton, Erksion, Hartsough, Hittell, Jenison, Johnson, Mebius, Perley, Rhoads, Scott of Alameda, Van Leuven, Van Schaick, Walker of Alameda, Wason, Winchester, and Wright—22.

Mr. Littlefield moved to adjourn.

Lost.

SECOND SPECIAL ORDER.

The second special order of the day, the consideration of the Governor's veto messages, was taken up.

Mr. Wright moved to postpone the same until after the General File.

Lost.

Mr. Scott moved to postpone further consideration until Wednesday next, at twelve o'clock M.

Lost.

The veto of Assembly bill No. 130, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and a point on the road leading by the Middle Fork of Jackson Creek, about one and three quarter miles above the Town of Jackson, in Amador County, was first considered.

On the question, "Shall the bill pass, notwithstanding the veto of the Governor?" the ayes and noes were called, and the bill passed, by the following vote :

AYES—Messrs. Allen, Beaman, Bowman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Cherry, Clayton, Dickinson, Dodson, Dow, Dutton, Gray, Hoag, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Ludlow, Martin, McColliam, Mebius, Parker, Perrin, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, Wood, and Wright—45.

NOES—Messrs. Boulware, Brooks, Castro, Clark, Erkson, Hartsough, Hittell, Hubbard, Redfield, Scott of Alameda, Wason, and Watson—12.

The second message, vetoing Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin, and to collect toll for travel thereon, was considered.

On the question, "Shall the bill pass, notwithstanding the veto of the Governor?" the roll was called, and the bill passed, by the following vote :

AYES—Messrs. Allen, Beaman, Bowman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Cherry, Clayton, Dickinson, Dodson, Dow, Dutton, Gray, Hoag, Jenison, Johnson, Kendrick, Kewen, Langdon, Ludlow, Martin, McColliam, Mebius, Parker, Perley, Perrin, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, Wood, and Wright—45.

NOES—Messrs. Boulware, Brooks, Castro, Chappell, Clark, Erkson, Hartsough, Hittell, Hubbard, Littlefield, Redfield, Scott of Alameda, Wason, and Watson—14.

The third message, vetoing Assembly bill No. 148, an Act to authorize

the Administrator of the estate of Maria Ignacia Amador de Alvarado, deceased, to sell and convey real estate, was taken up.

On the question, "Shall the bill pass, notwithstanding the veto of the Governor?" the roll was called, and the bill passed, by the following vote :

AYES—Messrs. Allen, Beaman, Bowman, Brooks, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Cherry, Clark, Dickinson, Dodson, Dow, Gray, Hoag, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Ludlow, Martin, McColliam, Mebius, Parker, Perley, Perrin, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, Wood, and Wright—46.

NOES—Messrs. Boulware, Castro, Clayton, Dutton, Erkson, Hittell, Hubbard, Littlefield, Redfield, Scott of Alameda, Wason, and Watson—12.

At four o'clock and twenty minutes p. m., on motion of Mr. Kewen, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, February 19th, 1864. }

House met pursuant to adjournment

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

One day leave of absence was granted to all absentees ; Mr. Smith of Sonoma was granted six days leave of absence.

Mr. McColliam presented a petition from the Fourth and Clara Streets School, in the City of San Francisco, relative to School accommodations.

Referred to San Francisco delegation.

REPORTS.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 166, an Act concerning the District Courts of this State, have had the same under consideration, and report it back, with the recommendation of its passage ;

Also, Senate bill No. 150, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three, and report the same with amendments, and recommend the passage of the bill as amended ;

Also, Senate bill No. 217, an Act to amend an Act to regulate pro-

ceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one, and recommend the passage of the same;

Also, a petition from the residents of Sutter County, and report the same, with the recommendation that it be referred to the Committee on Counties and County Boundaries.

CAMPBELL of San Francisco, Chairman.

The petition above reported was referred as recommended.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report :

MR. SPEAKER :—The Committee on Public Morals, to whom was re-committed Assembly bill No. 103, an Act to prohibit gaming, have considered the same, and report it back with additional amendments, and unanimously recommend the adoption of these amendments and the amendments heretofore reported, and that the bill pass as amended.

WALKER of Alameda, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 150, an Act to create the County of Alpine, to define its boundaries, and to provide for its organization ;

Also, Assembly bill No. 297, an Act to fix the salary of the County Superintendent of Public Schools in Solano County ;

Also, Assembly bill No. 292, an Act to legalize the sale of a certain lot and the buildings thereon, made by the Board of Supervisors of San Bernardino County, in the year A. D. eighteen hundred and sixty-two, to Willard T. Hughes, and to authorize said Board to execute a deed to Almira L. Hughes, widow of the said W. T. Hughes, deceased, to certain real estate.

DYER, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Senate substitute for Senate bill No. 98, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five, beg leave to report that they have had the same under consideration, and report it back, with the recommendation that it pass.

LOUDLOW, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 139, an Act to promote the study of anatomy ;

Also, Assembly bill No. 248, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State ;

Also, Assembly bill No. 269, an Act supplementary to an Act entitled an Act to provide for the sale of certain lands belonging to this State, passed April twenty-seventh, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 272, an Act to grant to William Beale the right to construct a toll road from Arms' Store, in Sierra Valley, to the junction of the Henness Pass Road, in the County of Sierra, and to collect tolls thereon, report that they have had the same under consideration, amended section first so as to bring it under the supervision of the Board of Supervisors of said county, and recommend that it pass as amended.

LUDLOW, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

MR. SPEAKER :—The Committee on Ways and Means, to whom was referred Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, have had the same under consideration, and ask leave to report it back with amendments, and recommend its passage as amended.

ALLEN, Chairman.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER :—The Committee on Commerce and Navigation have had under consideration Assembly bill No. 298, an Act to appropriate money to improve the navigation of the Sacramento River, and report it back, and recommend its indefinite postponement ;

Also, Assembly bill No. 222, an Act entitled an Act in relation to the water front adjacent to Block Number Nine, in the City and County of San Francisco, and recommend a substitute.

HUNT, Chairman.

Mr. Dodson made the following report :

MR. SPEAKER :—The delegations from Lake, Mendocino, and Napa, to whom was referred Assembly bill No. 217, beg leave to report the same back with a substitute, and recommend the passage of the substitute.

DODSON,
WILSEY.

Mr. Langdon made the following report :

MR. SPEAKER :—The Calaveras delegation, to whom was referred Senate bill No. 105, an Act to grant the right to construct a turnpike road from Campo Seco to Mokelumne Hill, thence to the Big Tree Road, near the Big Meadows, in Calaveras County, have had the same under consideration, and herewith report it back without amendment, and recommend its passage.

LANGDON, for Delegation.

Mr. Watson made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred substitute for Assembly bill No. 168, an Act to separate the offices of Sheriff and the Collector of State and County taxes, beg leave to return the same back, and recommend its indefinite postponement.

WATSON,
TUKEY,
BADLAM,
RHOADS,
HUNT.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 18th, 1864. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly bill No. 218, an Act to fix the compensation of the Assessor of Santa Cruz County ;

Also, Assembly bill No. 174, an Act to submit the question of the removal of the county seat of Lake County to the qualified voters thereof ;

Also, Assembly bill No. 197, an Act to provide for assessing and collecting taxes in Alameda County ;

Also, Assembly bill No. 228, an Act repealing an Act entitled an Act concerning the office of County Clerk in the County of Yolo, approved April fourteenth, eighteen hundred and sixty-three, and restoring former Act ;

Also, Assembly bill No. 171, an Act to fix the time of holding the County Court and Probate Court in the County of Marin ;

Also, Assembly bill No. 85, an Act for the relief of William B. Latham, Jr. ;

Also, Assembly bill No. 121, an Act to reduce the penalty of the official bond of the Sheriff of Yuba County ;

Also, Assembly bill No. 124, an Act to provide for the support of the Fire Department of the City of Sacramento ;

Also, Assembly bill No. 169, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 117, an Act to exempt from forced sale certain property ;

Also, Assembly bill No. 200, an Act to create a Board of Water Commissioners in the County of San Bernardino, and to define their duties ;

Also, Assembly bill No. 213, an Act changing the time for holding the County and Probate Courts in the County of Amador.

FRED'K F. LOW,
Governor.

RESOLUTIONS.

Mr. Brown of Amador offered the following resolution :

Resolved, That the resolution heretofore passed by the Assembly, to wit : " That when this House adjourns on Saturday, the twentieth, it adjourns to meet on Wednesday, the twenty-fourth instant," be and the same is hereby rescinded.

Adopted.

Mr. Chappell offered a concurrent resolution to print five thousand copies of Assembly concurrent resolutions No. 13.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
February 19th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the seventeenth instant, passed Senate bill No. 125, an Act amendatory of and supplementary to an Act to tax foreign insurance companies doing business in this State, approved April fifteenth, eighteen hundred and sixty-two ;

Also, on the eighteenth instant, passed Senate bill No. 139, an Act to re-district the City and County of San Francisco ;

Also, same day, passed Assembly bill No. 251, an Act to make the salary of the District Attorney of San Joaquin County payable monthly ;

Also, same day, passed Assembly bill No. 152, an Act for the relief of Mary Bowie ;

Also, same day, passed Assembly bill No. 155, an Act to authorize the issuance of a duplicate bond and certificate to Robert M. Irving ;

Also, same day, amended and passed Assembly bill No. 114, with amendments, and ask the concurrence of the Assembly ;

Also, same day, passed Assembly bill No. 154, an Act supplemental to an Act concerning crimes and punishments, passed April eighteenth, eighteen hundred and fifty-one.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
February 18th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on this day, passed Assembly bill No. 225, an Act to appropriate money to pay the claim of T. R. Eldredge and Manuel Torres, for translating laws into Spanish.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
February 17th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on this day, passed Assembly bill No. 92, an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two ;

Also, on the thirteenth instant, passed Senate bill No. 164, an Act to extend the time for the completion of the Big Tree and Carson Valley Turnpike Road ;

Also, same day, passed Senate bill No. 199, an Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, same day, passed Senate bill No. 223, an Act for the relief of John I. Sykes, County Auditor of Nevada County ;

Also, same day, passed Senate bill No. 153, an Act to limit the time for the commencement of civil actions in certain cases.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
February 18th, 1864. }

MR SPEAKER:—I am instructed to inform the Assembly that the Senate this day passed Senate bill No. 239, an Act to authorize the Board of Supervisors of Amador County to levy an additional tax for county expenditures in said county.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
February 18th, 1864. }

MR. SPEAKER:—I am instructed to inform the Assembly that, on the seventeenth instant, the Senate concurred in Assembly concurrent resolution No. 29 ;

Also, on the fifteenth instant, passed Senate bill No. 160, an Act to provide for the construction of a turnpike road in Santa Clara and Santa Cruz Counties ;

Also, same day, passed Senate bill No. 175, an Act to authorize the Board of Supervisors of San Joaquin County to appropriate money.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 160, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Senate bill No. 164, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Senate bill No. 125, above reported, read first and second times, and referred to the Committee on Corporations.

Senate bill No. 175, above reported, read first and second times, and referred to the San Joaquin delegation.

Senate bill No. 223, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 139, above reported, read first and second times, and placed on file.

Senate bill No. 153, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 239, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 199, above reported, read first and second times, and referred to the Sacramento delegation.

The House refused to concur in Senate amendment to Assembly bill No. 114, above reported.

The rules were suspended, and a concurrent resolution to adjourn over the twenty-second instant, offered by Mr. Beaman, was adopted.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Chappell, for an Act making appropriations for deficiencies for the fifteenth session of the Legislature.

Read first and second times, and ordered to General File.

By Mr. Scott of Alameda, for an Act to amend section nineteen of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Brown of Tulare, for an Act for the relief of Paschal Bequette.

Read first and second times, and referred to the Tulare delegation.

By Mr. Snyder, for an Act to authorize the Board of Supervisors of Placer County to levy a special poll tax for county purposes.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Wood, for an Act to establish police regulations for the harbor of the City and County of San Francisco, and to authorize and empower the Board of Supervisors to regulate the same.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Clark, for an Act to create the County of Lassen, to define its boundaries, and provide for its organization.

Read first and second times, and referred to the Plumas and Shasta delegations.

By Mr. Allen, for an Act making appropriations for deficiencies in the appropriations made for the fifteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-four.

Read first and second times, and referred to the Committee on Ways and Means, and ordered printed.

Also, for an Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and amended April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and ordered to General File.

By Mr. Redfield, for an Act granting to James L. Hall and his associates the right to lay down and maintain gas pipes in the Town of Brown's Valley, in Yuba County.

Read first and second times, and ordered to General File.

By Mr. Dodson, for an Act supplementary to an Act to fix the salaries of judicial officers, and provide for the payment of the same, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

SPECIAL ORDER.

At twelve o'clock M., the House took up the special order of the day, Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River—read third time, and passed.

GENERAL FILE.

Assembly bill No. 246, an Act to authorize the establishment of County and State Medical Societies

The bill was considered by sections.

Mr. Martin moved to strike out section six.

Mr. Weston moved to strike out the word "English."

Adopted.

Mr. Winchester moved a call of the House.

Adopted.

On calling the roll, the following members were found absent:

Messrs. Alley, Badlam, Bowman, Boulware, Brooks, Campbell of El Dorado, Campbell of San Francisco, Cherry, Devoe, Dickinson, Dow, Dyer, Erkson, Green, Hill, Hirst, Jenison, Kewen, Lynch, McColliam, Mebius, Mitchell, Owen, Parker, Perley, Pratt, Scott of Alameda, Scott of Siskiyou, Smith of Sonoma, Teare, Van Leuven, Van Schaick, Walker of Fresno, Wason, Wilcox, Wiley, Wilsey, Whallon, Wood, and Wright.

Mr. Littlefield moved to adjourn.

Lost.

Mr. Winchester moved that absent members be arrested and brought to the bar of the House.

Adopted.

Mr. Redfield moved to dispense with further proceedings under the call.

Lost.

Mr. Fraser moved to adjourn.

Messrs. Winchester, Martin, and Lux demanded the ayes and noes, and at one o'clock and five minutes P. M., the House agreed, by the following vote:

AYES—Messrs. Allen, Beaman, Brown of Amador, Brown of Tulare, Buffam, Castro, Chappell, Fraser, Hartsough, Hittell, Hoag, Hubbard, Kendrick, Langdon, Littlefield, Ludlow, Lux, Martin, Personette, Redfield, Rhoads, Sepulveda, and Weston—23.

NOES—Messrs. Clark, Clayton, Dodson, Dutton, Gray, Hunt, Johnson, Perrin, Rule, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Watson, and Winchester—16.

IN ASSEMBLY.

HOUSE OF ASSEMBLY. }
Saturday, February 20th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

REPORTS

Mr. Allen, from the Committee on Swamp and Overflowed Lands, made the following report :

MR. SPEAKER :—Your Committee on Swamp and Overflowed Lands, to whom was referred Assembly bill No. 37, an Act relating to the Swamp and Overflowed Land in District Number Two, have had the same under consideration, and beg leave to report it back with amendments, and recommend its passage as amended.

HARTSOUGH, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 295, an Act to provide for and define the manner of collecting a tax to build a School-house in Court-house District, Sonoma County.

DYER, Chairman.

Mr. Wright, from the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 279, an Act supplementary to and amendatory of an Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one, have had the same under consideration, report it back with a substitute, and recommend the passage of the substitute ;

Also, Assembly bill No. 224, an Act to preserve the rights of parties existing on the thirty-first day of December, A. D. eighteen hundred and sixty-three, under and by virtue of the laws then existing concerning forcible entries and unlawful detainers, with recommendation of its indefinite postponement ;

Also, substitute for Senate bill No. 16, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers, and recommend the passage of the same.

CAMPBELL of San Francisco, Chairman.

Mr. Weston made the following report :

MR. SPEAKER :—The Sierra delegation, to whom was referred Assembly bill No. 205, an Act concerning roads and highways in the County of Sierra, having considered the same, report back to the House a substitute, and recommend the passage of the substitute.

WESTON, for Delegation.

Mr. Allen made the following report :

MR. SPEAKER :—The San Joaquin delegation, to whom was referred Assembly bill No. 311, an Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siski-

you, have had the same under consideration, beg leave to report it back, and recommend its passage.

ALLEN, for Delegation.

Mr. Wood, under a suspension of the rules, presented a petition of seven hundred and fifty pupils of the Public Schools in the City of San Francisco, petitioning for increased School accommodations.

Referred to the San Francisco delegation.

Mr. Gray, under a suspension of the rules, presented a petition of citizen tax payers of San Francisco, for increased School accommodations.

Referred to the San Francisco delegation.

Mr. Cherry made the following report :

Mr. SPEAKER :—The San Francisco delegation, to whom was referred Senate bill No. 142, an Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regulating the same, and to confer further powers upon the Auditor and Treasurer of said city and county, approved April twenty-seventh, eighteen hundred and sixty-three, have had the same under consideration, report it back with an amendment, and recommend its passage as amended.

CHERRY, for Delegation.

The rules were suspended, and the bill above reported taken up, amendments adopted, rules again suspended, read third time, and passed.

Mr. Erkson made the following report :

Mr. SPEAKER :—The Santa Clara delegation, to whom was referred Assembly bill No. 274, an Act to regulate the fees and fix the salaries of certain officers in the County of Santa Clara, report the same back, and recommend its passage.

ERKSON, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Wood offered the following resolution :

Resolved, That the Committee on Military Affairs be allowed a Clerk for such additional time more than that already allowed by resolution of this Assembly as they shall consider his services necessary to complete their business.

Adopted.

On motion of Mr. Buffum, Assembly bill No. 246 was made the special order for Tuesday, March first.

On motion of Mr. Hill, Assembly bill No. 226 was made the special order for Friday, February twenty-sixth.

Mr. Perley offered the following resolution :

Resolved, That the Standing Committees of the House who have as yet made no report on the various matters had under consideration be required to report their action on the same on or before the twenty-sixth instant.

Laid on the table.

Mr. Perrin had leave to make the following report :

MR. SPEAKER :—The Tuolumne and Mono delegation, to whom was referred Assembly bill No. 232, an Act to grant to John N. Dudleston, his associates and assigns, the right to construct and maintain a toll road in Mono County, report the same back with amendments, and recommend its passage.

PERRIN, for Delegation.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Van Leuven, for an Act to create a Special Fund for the erection of a Jail in the County of San Bernardino.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Tukey, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act concerning the jurisdiction of the several Courts of this State.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act concerning penalties, fines, and forfeitures.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act concerning fees

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act concerning municipal taxes, levies, and assessments

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act, passed May seventeenth, eighteen hundred and sixty-one, entitled an Act to provide revenue for the support of the government of this State.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act declaring certain things to be against public policy.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wright, for an Act fixing the times at which Representatives in Congress shall be elected, and defining their term of office

Read first and second times, and referred to the Committee on Elections.

By Mr. Erkson, for an Act to provide for taking the State census.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Walker of Alameda, for an Act to enforce the collection of poll taxes.

Read first and second times, and referred to the Judiciary Committee.

On motion of Mr. Martin, at eleven o'clock and forty-five minutes A. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, February 24th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday last read and approved.

PETITIONS.

Mr. Badlam presented a petition of citizens of Sacramento against amendments to the city charter, and increase of salaries of county officers.

Placed on file.

Also, a petition of citizens of Sacramento against increase of salaries of county officers.

Placed on file.

Mr. Sepulveda presented a petition of Sisters of Charity of Los Angeles Orphan Asylum.

Referred to the Committee on Ways and Means.

Mr. Cherry presented a petition of citizens of San Francisco concerning the Schools of that city.

Referred to the San Francisco delegation.

REPORTS.

Mr. Allen, from the Committee on Swamp and Overflowed Lands, made the following report :

MR. SPEAKER :—Your Committee on Swamp and Overflowed Lands have had under consideration Senate concurrent resolution No. 23, beg leave to report the same back with amendment, and recommend that it pass as amended.

HARTSOUGH, Chairman.

Mr Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 225, an Act to appropriate money to pay the claim of T. R. Eldredge and Manuel Torres for translating laws into Spanish ;

Also, Assembly bill No 92, an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two ;

And on Saturday, February twentieth, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 20th, 1864. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly bill No. 51, an Act to exempt active and exempt firemen from jury duty in the City of Sacramento;

Also, Assembly bill No. 210, an Act to amend an Act entitled an Act concerning estrays and animals found running at large in the County of Santa Clara, passed April twenty-seventh, eighteen hundred and sixty-three.

FRED'K F. LOW,
Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hubbard, for an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence.

Read first and second times, and referred to the Committee on Military Affairs, and ordered printed.

By Mr. Jennison, for an Act to transfer certain moneys from the General Fund of Tehama County to the Tehama County Wagon Road Interest and Redemption Fund.

Read first and second times, and placed on file.

GENERAL FILE.

Assembly bill No. 278, an Act for the relief of George Nelson—read third time, and passed.

Assembly bill No. 248, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State—read third time, and passed.

Assembly bill No. 150, an Act to create the County of Alpine, to define its boundaries, and to provide for its organization.

Mr. Winchester moved to recommit the bill to the Committee on Counties and County Boundaries, with special instructions to strike out section seven, and insert the following:

“At the Presidential election to be held in November, eighteen hundred and sixty-four, there shall be elected all officers to fill the different offices named in the preceding sections, except Supervisors, Justices of the Peace, and Constables, and the officers thus elected shall be duly qualified and enter upon the discharge of their respective duties on the first Monday of December following their election, who shall hold their offices till their successors are elected at the general election of eighteen hundred and sixty-five.”

Section five, third line, strike out the words, “and the County Clerk shall be Clerk of their Board.” and insert the words, “and they shall elect a Clerk of their Board. and shall be subject to all the obligations,

and perform all the duties that belong to the Clerks of the Boards of Supervisors of the different counties of this State."

The motion was lost.

The bill was read third time, and passed.

SPECIAL ORDER.

Senate bill No. 155, (special order,) an Act relative to the office of County Treasurer of the County of Sacramento.

The question under consideration being a motion to reconsider the vote by which the House refused to pass the bill, Mr. Tukey moved to postpone the motion until Wednesday, March second, at twelve o'clock M. Adopted.

GENERAL FILE RESUMED.

Assembly bill No. 263, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 273, an Act respecting the Owens River Canal Company—recommitted to the Committee on Internal Improvements.

Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—referred to the San Francisco delegation.

Assembly bill No. 296, an Act to amend an Act to incorporate the Town of Downieville, approved March eighteenth, eighteen hundred and sixty-three—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly concurrent resolution No. 17, relative to mail route to Southern California—substitute adopted, and passed.

Senate bill No. 204, an Act to exempt active and exempt firemen from jury duty in the County of Nevada—rules suspended, read third time, and passed.

Senate bill No. 138, an Act for the relief of Marcuse and Baltzar—rules suspended, read third time, and passed.

Assembly bill No. 300, an Act to provide for ascertaining the amount of fees paid to certain officers.

Mr. Wright moved to strike out the words "April and October," in twelfth and thirteenth lines of section second.

Adopted.

Mr. Hittell moved to strike out the word "three," in line sixteen of section two, and insert "six."

Adopted.

Mr. Wason moved to insert the word "Constable," after the word "Auditor," in line four of section first.

Lost.

Mr. Boulware moved to strike out the words "Justices of the Peace," in line two of section first.

Mr. Winchester moved to indefinitely postpone the bill.

Lost.

On Mr. Boulware's amendment, the ayes and noes were demanded, by Messrs. Winchester, Scott, and Boulware, and taken, with the following result:

AYES—Messrs. Boulware, Campbell of El Dorado, Cherry, Clark, Erkson, Hubbard, Hirst, Jenison, Langdon, Lux, Parker, Pratt, Snyder, Teare, Van Leuven, Walker of Alameda, and Winchester—13.

NOES—Messrs. Brown of Tulare, Castro, Clayton, Dodson, Dow, Dutton, Fraser, Gray, Hill, Hittell, Hoag, Johnson, Kendrick, Martin, McColliam, Owen, Perrin, Rhoads, Scott of Alameda, Sepulveda, Smith of Nevada, Tukey, Van Schaick, Walker of Fresno, Wason, Wilsey, and Wright—23.

The Chair declared Mr. Boulware's amendment lost.

Mr. Hittell moved to amend by striking out "January, April, July, and October," in line eighteen, section first, and inserting "January and July."

Adopted.

Mr. Hittell moved to amend section third by adding the words "Sierra, Colusa, Tehama, Los Angeles, and Tuolumne"

Mr. Boulware moved to amend the amendment by adding "the County of Sutter."

Lost.

On the adoption of the amendment, Messrs. Winchester, Snyder, and Perrin, called for the ayes and noes, and the vote was taken, with the following result:

AYES—Messrs. Boulware, Dodson, Dutton, Gray, Hittell, Hoag, Jenison, Johnson, Kendrick, Lux, Martin, Parker, Scott of Alameda, Sepulveda, Smith of Nevada, Tukey, Van Leuven, Van Schaick, Wason, Weston, Wilsey, and Wright—22.

NOES—Messrs. Brown of Amador, Campbell of El Dorado, Clayton, Dow, Erkson, Fraser, Hirst, Langdon, Owen, Perrin, Pratt, Redfield, Rhoads, Rule, Snyder, Walker of Alameda, Walker of Fresno, and Winchester—13.

The amendment was declared adopted.

Mr. Boulware moved to amend by adding a new section, as follows:

"Section 5. The provisions of this Act shall not apply to Sutter County."

Mr. Brown of Amador moved to amend the amendment by adding "Amador."

Lost.

Mr. Hirst moved to amend the amendment by adding "Klamath and Del Norte."

Lost.

Mr. Winchester moved to strike out the enacting clause.

On which, the ayes and noes were demanded, by Messrs. Winchester, Hirst, and Lux, and taken, with the following result:

AYES—Messrs. Boulware, Brown of Amador, Campbell of El Dorado, Cherry, Dodson, Hubbard, Hirst, Langdon, Lux, Parker, Snyder, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, and Winchester—16.

NOES—Messrs. Clayton, Dow, Dutton, Erkson, Fraser, Gray, Hill, Hittell, Hoag, Jenison, Johnson, Kendrick, Martin, McColliam, Owen, Per-

rin, Redfield, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Teare, Tukey, Wason, Weston, Wilsey, and Wright—28.

Mr. Winchester moved to adjourn.

On which, Messrs. McColliam, Tukey, and Rule, demanded the ayes and noes, which were taken, with the following result:

AYES—Messrs. Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Hubbard, Kendrick, Langdon, Parker, Sepulveda, Walker of Fresno, and Winchester—11.

NOES—Messrs. Clark, Clayton, Dodson, Dow, Dutton, Erkson, Fraser, Gray, Hill, Hittell, Hoag, Hirst, Jenison, Johnson, Lux, Martin, McColliam, Perrin, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Weston, Wilsey, and Wright—33.

Mr. Winchester moved to postpone the further consideration of the bill until one week from to-day.

Mr. Lux moved to amend the motion, and place the bill at top of the file for to-morrow.

The amendment was accepted by the mover.

Mr. Scott called for the previous question.

On which, Messrs. Snyder, Winchester, and Lux, called for the ayes and noes, and the previous question was sustained, by the following vote:

AYES—Messrs. Brown of Tulare, Clark, Clayton, Dow, Dutton, Gray, Hill, Hittell, Hoag, Hirst, Jennison, Johnson, Kendrick, Martin, McColliam, Perrin, Redfield, Rule, Scott of Alameda, Sepulveda, Wason, Weston, Wilsey, and Wright—24.

NOES—Messrs. Boulware, Brown of Amador, Campbell of El Dorado, Cherry, Dodson, Erkson, Fraser, Hubbard, Langdon, Lux, Rhoads, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, and Winchester—19.

The motion to place the bill at top of the file for to-morrow was then put, and lost.

The bill was ordered engrossed and read third time.

Mr. Hill moved to suspend the rules and take up messages from the Senate.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
February 20th, 1864. }

Mr. SPEAKER:—I am instructed to inform the Assembly that the Senate, on the nineteenth instant, adopted Assembly concurrent resolution No. 30, concerning an adjournment;

Also, same day, passed Assembly bill No. 178, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three;

Also, same day, passed Assembly bill No. 177, an Act to amend an Act entitled an Act to authorize the Supervisors of the Counties of Napa and Lake, respectively, to levy a special tax for the purpose of improving and repairing the public highway connecting Napa City and Lakeport ;

Also, same day, passed Senate bill No. 170, an Act to suspend the laws allowing the sale of unsurveyed lands, and relating to the issuance of patents ;

Also, this day, passed Assembly bill No. 173, an Act amendatory of an Act entitled an Act to define the boundaries and provide for the organization of Lake County, approved May twentieth, eighteen hundred and sixty-one ;

Also, this day, passed Assembly bill No. 81, an Act to provide for the payment of the claim of H. H. Bancroft & Co. ;

Also, on the nineteenth instant, passed Senate bill No. 208, an Act to authorize W. M. Harron to dispose of certain interests in a house and lots in Sacramento.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 208, above reported, read first and second times, and placed on file.

Senate bill No. 170, above reported, read first and second times, and referred to the Committee on Public Lands.

The House concurred in Senate amendments to Assembly bill No. 178, above reported.

The House concurred in Senate amendments to Assembly bill No. 177, above reported.

The House concurred in Senate amendments to Assembly bill No. 173, above reported.

GENERAL FILE RESUMED.

Assembly bill No. 293, an Act to amend an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two—rules suspended, the bill considered engrossed, read third time, and passed.

Mr. Snyder moved to adjourn.

Lost.

Senate bill No. 166, an Act concerning the District Courts of this State—rules suspended, read third time, and passed.

At two o'clock and fifty minutes p. m., on motion of Mr. Rule, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, February 25th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Messrs. Gray and Wood were each granted indefinite leave of absence.
Journal of yesterday read and approved.

PETITIONS.

Mr. Johnson presented a petition of E. Schwiesan, relative to certain Marsh Lands.

Referred to Committee on Swamp and Overflowed Lands.

Mr. Mebius presented a petition of citizens of San Francisco, in favor of equipping a German battalion in said city and county.

Referred to the Committee on Military Affairs.

REPORTS.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 282, an Act to provide for the construction of a wagon and turnpike road in the Counties of Fresno and Mono, have had the same under consideration, amended it, and beg leave to report it back as amended, and recommend that it pass.

LUDLOW, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Senate bill No. 86, an Act to authorize the Board of Supervisors of Sutter County to construct a bridge and build a road across Butte Creek Slough, beg leave to report that they have had the same under consideration, amended it, and recommend that it pass as amended.

LUDLOW, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 140, an Act for the preservation of the public health ;

Also, Assembly bill No. 164, an Act amendatory of and supplemental to an Act entitled an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 268, an Act for the protection of parties purchasing lands of this State, and providing for resurreys of such lands in certain cases ;

Also, Assembly bill No. 306, an Act to authorize the Board of Supervisors of Placer County to levy a special poll tax for county purposes.

DYER, Chairman.

Mr. Wright, Chairman of the Committee on Elections, made the following report :

MR. SPEAKER :—The Committee on Elections have considered Assembly bill No. 301, an Act to provide for furnishing, in printed form, the poll and tally lists papers for election purposes, and report it back, and recommend its passage.

WRIGHT, Chairman.

Mr. Wright, from the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 304, an Act to amend section nineteen of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, have had the same under consideration, and report it back, with recommendation of its passage ;

Also, Assembly bill No. 313, an Act to create a Special Fund for the erection of a Jail in the County of San Bernardino, report the same with an amendment, and recommendation of its passage as amended ;

Also, Assembly bill No. 132, an Act supplementary to an Act entitled an Act to amend an Act to limit the time for presentation of claims against counties, and for receiving payment for the same, approved April second, eighteen hundred and fifty-seven, approved April eighth, eighteen hundred and sixty-three, with the Senate substitute therefor, of the same number, report the same back, with an amendment to the substitute, and recommend its passage as amended.

WRIGHT, for Committee.

Mr. Brown of Tulare made the following report :

MR. SPEAKER :—The Tulare delegation, to whom was referred Assembly bill No. 305, an Act for the relief of Paschal Bequette, have had the same under consideration, beg leave to report it back to the House, and recommend its passage.

BROWN of Tulare, for Delegation.

Mr. Lux offered the following resolution :

Resolved, That two thousand copies of Assembly concurrent resolutions No. 13 be printed for the use of the members of this House.

Laid over one day.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
February 25th, 1864. }

MR. SPEAKER :—The Senate yesterday amended and passed Assembly bill No. 129, an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada ;

Also, same day, passed Assembly bill No. 133, an Act to amend an Act entitled an Act to amend an Act entitled an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, same day, passed Assembly bill No. 183, an Act in relation to the office of County Superintendent of Common Schools in the County of San Joaquin ;

Also, same day, passed Assembly bill No. 185, an Act to amend an Act concerning the office of County Clerk, Sheriff, and County Treasurer of the City and County of San Francisco, approved March seventh, eighteen hundred and fifty-nine ;

Also, same day, passed Assembly bill No. 198, an Act to amend an Act entitled an Act to prohibit the carrying of concealed weapons ;

Also, same day, amended and passed Assembly bill No. 281, an Act concerning the official bond of the County Clerk, Sheriff, Recorder and Auditor, the Assessor, and Superintendent of Common Schools of the County of San Luis Obispo ;

Also, same day, passed Senate bill No. 151, an Act to amend an Act amendatory of and supplemental to an Act entitled an Act to transfer certain funds, passed January thirty-first, eighteen hundred and sixty-three, passed January ninth, eighteen hundred and sixty-four ;

Also, same day, passed Senate bill No. 128, an Act to amend an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three ;

Also, same day, passed Senate bill No. 146, an Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, passed April eleventh, eighteen hundred and sixty-two ;

Also, indefinitely postponed Assembly bill No. 14, an Act concerning jurors ;

Also, on the twentieth instant, indefinitely postponed Assembly concurrent resolution No. 31, ordering five thousand copies of Assembly concurrent resolutions No. 13 to be printed.

Also, on the twentieth instant, Senate refused to recede from amendments to Assembly bill No. 114, an Act concerning the office of County Clerk of the City and County of San Francisco, and appointed as a Committee of Free Conference on the part of the Senate, Messrs. Dodge, Cunningham, and Kutz, and request that a like committee be appointed on the part of the Assembly.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

The House concurred in Senate amendments to Assembly bill No. 129, above reported.

Also, concurred in Senate amendments to Assembly bill No. 281, above reported.

Mr. Speaker appointed Messrs. Cherry, Dutton, and Wason a Committee of Free Conference on Assembly bill No. 114, above reported.

Senate bill No. 128, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 151, above reported, read first and second times, and referred to the Committee on Ways and Means.

Assembly bill No. 146, above reported, read first and second times, and referred to the Committee on Corporations.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Cherry, for an Act to provide for the transfer of certain funds belonging to the City and County of San Francisco.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Dodson, for an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on State Library.

By Mr. Wiley, for an Act to amend an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine.

Read first and second times, and referred to Humboldt delegation.

GENERAL FILE.

Assembly bill No. 139, an Act to promote the study of anatomy.

Mr. Martin moved the indefinite postponement of the bill.

On which, Messrs. Buffum, Martin, and Tukey, demanded the ayes and noes, and the House refused, by the following vote :

AYES—Messrs. Brown of Amador, Devoe, Dyer, Hirst, Jenison, Martin, McColliam, Parker, Snyder, Teare, Van Leuven, Walker of Fresno, and Whallon—13.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Cherry, Clark, Dickinson, Dodson, Dow, Dutton, Erkson, Fraser, Green, Hartsough, Hill, Hittell, Hoag, Hubbard, Hunt, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Lux, Mebius, Owen, Perley, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Sumner, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, and Wright—52.

On the passage of the bill, Messrs. Martin, Beaman, and Wason, demanded the ayes and noes, and the bill passed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Buffum, Campbell of El Dorado, Cherry, Clark, Dickinson, Dodson, Dow, Dutton, Erkson, Green, Hill, Hittell, Hoag, Hubbard, Hunt, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Lux, McColliam, Mebius, Owen, Perley, Perrin, Personette, Pratt, Redfield, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, and Wright—50.

NOES—Messrs. Brown of Amador, Brown of Tulare, Devoe, Dyer, Fraser, Hirst, Jenison, Martin, Parker, Rhoads, Snyder, Teare, Van Leuven, Walker of Fresno, and Whallon—15.

Assembly bill No. 150, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three—amendment adopted, and recommitted to the Judiciary Committee.

SPECIAL ORDER.

A resolution concerning Assembly bill No. 27, (special order,) relating to the collection of agricultural statistics.

Mr. Martin moved to amend by striking out all after the word "be," in fifth line, and inserting "acted upon now."

Lost.

The original resolution was then adopted, as follows :

Resolved, That the Committee of the Whole be discharged from the further consideration of Assembly bill No. 271, relating to the collection of agricultural statistics, and that the same be placed at the top of the file for to-morrow.

GENERAL FILE RESUMED.

Senate bill No. 217, an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice in this State, approved April twenty-ninth, eighteen hundred and fifty-one—rules suspended, read third time, and passed.

Assembly bill No. 103, an Act to prohibit gaming.

On motion of Mr. Dutton, made the special order for Thursday, March third, at twelve o'clock M.

Senate bill No. 98, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five—ordered second on file for to-morrow.

Assembly bill No. 272, an Act to grant to William Beale the right to construct a toll road from Armes' Store, in Sierra Valley, to the Junction House, on the Henness Pass Road, in the County of Sierra—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six.

Mr. Rule moved to make the bill the special order for Wednesday next.

The House so ordered by the following vote, the ayes and noes being demanded by Messrs. Hittell, Watson, and Winchester :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Brooks, Brown of Amador, Campbell of El Dorado, Chappell, Clark, Clayton, Devoe, Dodson, Dutton, Fraser, Green, Hill, Hoag, Hunt, Hirst, Kendrick, Langdon, Littlefield, Ludlow, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Snyder, Sumner, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, and Wright—49.

NOES—Messrs. Hittell and Winchester—2.

Assembly bill No. 298, an Act to appropriate money to improve the navigation of the Sacramento River—indeinitely postponed.

Assembly bill No. 222, an Act in relation to the water front adjacent to Block Number Nme, in the City and County of San Francisco—substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 101, an Act to grant the right to construct a turnpike road from Campo Seco to Mokelumne Hill, thence to Big Tree Road near Big Meadows, in Calaveras County—ordered third on file for February twenty-sixth.

Senate bill No. 139, an Act to re-district the City and County of San Francisco—ordered fourth on file for February twenty-sixth.

Assembly bill No. 303, an Act making appropriations for deficiencies in the appropriations for the fifteenth session of the Legislature—considered in Committee of the Whole, (Mr. Littlefield in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 312, an Act granting James L. Hall and his associates the right to lay down and maintain gas pipes in the Town of Brown's Valley, in Yuba County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 87, an Act relating to the Swamp and Overflowed Land in District Number Two, in the County of Sacramento—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 224, an Act to preserve the rights of parties existing on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing concerning forcible entries and unlawful detainers—~~indefinitely postponed.~~

Senate bill No. 16, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers—rules suspended, read third time, and passed.

Assembly bill No. 279, an Act supplementary to and amendatory of the Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one—substitute adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 205, an Act concerning roads and highways in the County of Sierra—recommitted to Sierra delegation.

Assembly bill No. 274, an Act to regulate the fees and fix the salaries of certain officers in the County of Santa Clara—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 324, an Act to transfer certain moneys from the General Fund of Tehama County to the Tehama County Wagon Road Interest and Redemption Fund—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 311, an Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and amended April twenty-fifth, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 208, an Act to authorize William M. Harron to dispose of certain interests in a house and lots in Sacramento—rules suspended, read third time, and passed.

Senate concurrent resolution No. 23, relative to Swamp and Overflowed Lands—rules suspended, read third time, and passed.

Assembly bill No. 232, an Act to grant to John N. Duddleston and his associates and assigns the right to construct and maintain a toll road in

Mono County—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

UNFINISHED BUSINESS.

Assembly bill No. 247, an Act to authorize the Executors of the last will and testament of Elias S Cooper, deceased, to sell and convey real estate—ordered to bottom of General File for twenty-sixth instant.

Assembly bill No. 286, an Act to authorize the Guardian of certain minor children to sell and convey real estate—rules suspended, considered engrossed, read third time, and passed.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 154, an Act supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty;

Also, Assembly bill No. 251, an Act to make the salary of the District Attorney of San Joaquin County payable monthly;

Also, Assembly bill No. 152, an Act for the relief of Mary Bowie;

Also, Assembly bill No. 155, an Act to authorize the issuance of a duplicate bond and certificate to Robert M. Irving;

Also, Assembly bill No. 81, an Act to provide for the payment of the claim of H. H. Bancroft & Company;

And this day presented the same to the Governor for his approval.

We have also examined, and found correctly enrolled, Assembly concurrent resolution No. 9, concerning disposition of lands of the Nome Lackee Reservation;

Also, Assembly concurrent resolutions No. 13, concerning patriotism.

Also, Assembly concurrent resolution No. 30, concerning adjournment;

And this day placed the same in the Secretary of State's office.

REDFIELD, Chairman.

There being no further business, at one o'clock and forty-five minutes. p. m., on motion of Mr. Littlefield, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Friday, February 26th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

PETITIONS.

Mr. Clark presented a petition of citizens of Plumas County against the creation of a new county in Honey Lake Valley.

Referred to Committee on Counties and County Boundaries.

Mr. Perley presented three petitions from citizens of San Joaquin County for the removal of obstructions to the navigation of the Mokelumne River.

Severally referred to Committee on Commerce and Navigation.

REPORTS.

Mr. Wright, Chairman of the Committee on Elections, made the following report :

MR. SPEAKER:—The Committee on Elections have considered Assembly bill No. 233, an Act amendatory of and supplementary to an Act passed March twenty-third, eighteen hundred and fifty, regulating elections, and report it back with an amendment, and recommend its passage as amended.

WRIGHT, Chairman.

Mr. Wright, from the Judiciary Committee, made the following report :

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers for the year eighteen hundred and sixty-four, have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute;

Also, Assembly bill No. 323, an Act to enforce the collection of poll taxes, and report the same back with an amendment, and recommend the passage of the same as amended.

WRIGHT, for Committee.

Mr. Wright, from the Judiciary Committee, made the following report :

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 189, an Act to amend the Act entitled an Act in relation to liens of mechanics and others, have had the same under consideration, report it back with a substitute, and recommend the passage of the substitute;

Also, Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three, and report the same back, with the recommendation that it pass;

Also, Assembly bill No. 250, an Act to provide for the payment of the salary of the County Judge of Trinity County, and recommend its indefinite postponement.

WRIGHT, for Committee.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

Mr. SPEAKER :—Your Committee on Ways and Means, to whom was referred Senate bill No. 151, an Act to amend an Act amendatory of and supplemental to an Act entitled an Act to transfer certain funds, passed January thirty-first, eighteen hundred and sixty-three, passed January ninth, eighteen hundred and sixty-four, have had the same under consideration, and report it back with the recommendation that it pass.

ALLEN, Chairman.

Mr. Wilsey, Chairman of the Committee on Corporations, made the following report :

Mr. SPEAKER :—Your Committee on Corporations, to whom was referred Senate bill No. 125, an Act amendatory of and supplementary to an Act entitled an Act to tax foreign insurance companies doing business in this State, have had the same under consideration, report it back, and recommend its passage ;

Also, Senate bill No. 184, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three, and also to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April thirtieth, eighteen hundred and fifty-five, and recommend its passage ;

Also, Senate bill No. 146, an Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, passed April eleventh, eighteen hundred and sixty-two, and recommend its passage ;

Also, Assembly bill No. 287, an Act to amend the Act entitled an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three, and recommend its passage.

WILSEY, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

Mr. SPEAKER :—The Committee on Roads and Highways, to whom was referred Senate bill No. 164, an Act to extend the time for the completion of the Big Tree and Carson Valley Turnpike Road, have had the same under consideration, and ask leave to report it back, with the recommendation that it pass ;

Also, Senate bill No. 160, an Act to provide for the construction of a turnpike road in Santa Clara and Santa Cruz Counties, have had the same under consideration, and report it back, and recommend the passage of the same.

LUDLOW, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 217, an Act to authorize the County Treasurers of the Counties of Napa, Lake, and Mendocino, to collect and receive certain public moneys ;

Also, Assembly bill No. 245, an Act to grant to certain parties therein named the right to construct and maintain a turnpike or toll road from

the Town of Sonora, in Tuolumne County, to the State line in Mono County ;

Also, Assembly bill No. 263, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 270, an Act for the building and improvement of certain roads in the County of Monterey ;

Also, Assembly bill No. 290, an Act to provide for the election of Township Assessors in the County of Alameda ;

Also, Assembly bill No. 326, an Act to provide for the transfer of certain funds belonging to the City and County of San Francisco ;

Also, Assembly bill No. 303, an Act making appropriation for deficiencies in the appropriation for the fifteenth session of the Legislature.

DYER, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims have had under consideration the claim of George W. Gordon, and Senate bill No. 121, in relation thereto, and beg leave to report the bill back to the House, and recommend its passage ;

Also, Senate bill No. 223, an Act for the relief of John I. Sykes, Auditor of Nevada County, and report it back to the House, recommending its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Fraser, from the Committee on Counties and County Boundaries, made the following report :

MR. SPEAKER :—Your Committee on Counties and County Boundaries, to whom was referred Assembly bill No. 113, an Act concerning dogs, have had the same under consideration, and report it back, and recommend its indefinite postponement.

FRASER, for Committee.

Mr. Martin made a report from the special committee having under consideration a portion of the Surveyor General's report relative to the survey of the eastern boundary of this State, recommending a discontinuance thereof, and with an accompanying bill for an Act relating to the establishment of the eastern boundary of the State of California.

The rules were suspended, and the bill read first and second times, and ordered to General File.

Mr. Chappell made the following report :

MR. SPEAKER :—The delegation to whom was referred Assembly bill No 308, an Act to create the County of Lassen, to define its boundaries, and provide for its organization, beg leave to report the same back with amendments, and recommend that it pass as amended

CHAPPELL, for Delegation.

Mr. Wiley made the following report :

MR. SPEAKER :—The Humboldt delegation, to whom was referred As-

sembly bill No. 238, an Act to amend an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine, have had the same under consideration, and beg leave to report the bill back without amendment, and recommend its passage.

WILEY, for Delegation.

Mr. Cherry made the following report :

Mr. SPEAKER :—The Committee of Free Conference on the disagreeing vote of the two Houses upon Assembly bill No. 114, submit the following amendments in lieu of the Senate amendment which the House refused to adopt, and recommend their adoption :

In section one, lines three and four, and ten and eleven, strike out the words " which Clerks," and insert " whom."

Also, in lines six and seven, and thirteen and fourteen, strike out the words " one Assistant Clerk, who shall receive," and insert in lieu thereof " the other."

CHERRY,
DUTTON,
WASON,
House Committee.

DODGE,
CUNNINGHAM,
KUTZ,
Senate Committee.

On motion of Mr. Lux, the resolution offered by him yesterday, to print two thousand copies of Assembly concurrent resolutions No. 13, was taken up.

On adopting the resolution, the ayes and noes were demanded, by Messrs. Whallon, Hoag, and Kendrick, and taken, with the following result :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Green, Hartsough, Hill, Hittell, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, and Winchester—60.

NOES—Messrs. Brown of Tulare, Dickinson, Hoag, Kendrick, Redfield, Sepulveda, Smith of Sonoma, Van Schaick, Walker of Fresno, and Whallon—10.

And so the resolution was adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
February 26th, 1864. }

Mr. SPEAKER :—The Senate yesterday amended and passed Assembly

bill No. 45, an Act for the better protection of the agricultural interests in certain counties in this State, and the more effectual prevention of the trespassing of animals upon private property;

Also, passed Assembly bill No. 306, an Act to authorize the Board of Supervisors of Placer County to levy a special poll tax for county purposes;

Also, this day, adopted the report of the Conference Committee on Assembly bill No. 114.

CHAS. WESTMORELAND,
Secretary.

The House refused to concur in the Senate amendment to Assembly bill No. 45, above reported.

SPECIAL ORDER.

On motion of Mr. Hill, the special order of the day, Assembly bill No. 226, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, was recommitted to the introducer thereof.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Perley, for an Act to improve the navigation of the Mokelumne River.

Read first and second times, and referred to the Committee on Commerce and Navigation.

By Mr. Hittell, for an Act to abolish the office of State Gauger.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Scott of Alameda, for an Act to amend an Act entitled an Act to amend an Act entitled an Act to authorize the formation of corporations for the construction of plank and turnpike roads, passed May twelfth, eighteen hundred and fifty-three, approved April twenty-eighth, eighteen hundred and fifty-seven.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Wiley, for an Act to provide a Commissioner to codify the laws of this State.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly bill No. 271, an Act to provide for the collection and publication of agricultural and other statistics of the State, (proposed substitute for Assembly bill No. 193)—the substitute was adopted and sundry amendments previously offered in Committee of the Whole, but not reported, were adopted, as also were others, verbal and written, to the several sections of the substitute.

Mr. Rule offered the following amendment:

Amend line five, by striking out the word "the," before the word "State," and the words "Board of Agriculture at Sacramento," wherever they occur.

On which, the ayes and noes were demanded, by Messrs. Martin, Wright, and McColliam, and the House refused to adopt, by the following vote :

AYES—Messrs. Brown of Amador, Castro, Cherry, Devoe, Erkson, Hittell, Johnson, Langdon, Littlefield, Ludlow, Martin, McColliam, Redfield, Rule, Scott of Siskiyou, Snyder, Tukey, Van Leuven, and Van Schaick—19.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brown of Tulare, Buffum, Chappell, Dickinson, Dodson, Dutton, Hartsough, Hunt, Jenison, Kendrick, Lux, Owen, Perley, Rhoads, Scott of Alameda, Smith of Sonoma, Sumner, Walker of Alameda, Wason, Watson, Weston, Wiley, Wilsey, Winchester, Whallon, and Wright—31.

Mr. Martin called for the reading of the bill.

Mr. Chappell moved to dispense therewith.

On which, the ayes and noes were demanded, by Messrs. Chappell, Martin, and Devoe, and Mr. Chappell's motion prevailed, by the following vote :

AYES—Messrs. Allen, Badlam, Boulware, Brooks, Buffum, Chappell, Dickinson, Dodson, Green, Hartsough, Hunt, Jenison, Kendrick, Langdon, Ludlow, Lux, McColliam, Perley, Perrin, Personette, Rhoads, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, and Wright—32.

NOES—Messrs. Brown of Amador, Campbell of El Dorado, Castro, Clayton, Devoe, Dow, Dutton, Erkson, Hirst, Johnson, Littlefield, Martin, Mebius, Parker, Rule, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, and Whallon—20.

Mr. Wright moved the previous question.

On ordering the same, the ayes and noes were demanded, by Messrs. Martin, Dow, and Walker of Alameda, and the demand was sustained by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Boulware, Brooks, Buffum, Chappell, Clark, Dodson, Green, Hartsough, Hunt, Jenison, Lux, Owen, Perley, Personette, Pratt, Rhoads, Scott of Alameda, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, Whallon, and Wright—32.

NOES—Messrs. Bowman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Castro, Cherry, Clayton, Devoe, Dickinson, Dow, Dutton, Erkson, Fraser, Hittell, Hubbard, Hirst, Johnson, Kendrick, Langdon, Littlefield, Martin, McColliam, Mebius, Parker, Perrin, Redfield, Rule, Smith of Nevada, Snyder, and Van Schaick—30.

On ordering the bill engrossed and read third time, the ayes and noes were again demanded, by Messrs. Martin, Devoe, and Walker of Alameda, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Boulware, Brooks, Buffum, Chappell, Clark, Clayton, Dodson, Dutton, Erkson, Hartsough, Hoag, Hunt, Jenison, Lux, Owen, Perley, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Tukey, Walker of

Alameda, Walker of Fresno, Wason, Watson, Weston, Wiley, Wilsey, Winchester, Whallon, and Wright—38.

Noes—Messrs. Bowman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Castro, Devoe, Dickinson, Dow, Dyer, Fraser, Green, Hittell, Hubbard, Hirst, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Martin, McColliam, Mebius, Parker, Perrin, Personette, Redfield, Snyder, and Van Schaick—28.

The rules were suspended, and Mr. Scott of Alameda moved the appointment of a Committee of Free Conference on the disagreeing vote on Assembly bill No. 45.

Motion adopted.

Mr. Speaker announced the following committee: Messrs. Scott of Alameda, Walker of Alameda, and Wright.

Senate bill No. 98, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five—ordered to top of file for March fifth.

Senate bill No. 105, an Act to grant the right to construct a turnpike road from Campo Seco to Mokelumne Hill, thence to Big Tree Road near Big Meadows, in Calaveras County—recommitted to the Calaveras delegation.

Senate bill No. 139, an Act to re-district the City and County of San Francisco—ordered to top of file for March third.

Assembly bill No. 164, an Act amendatory of and supplementary to an Act entitled an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three—read third time, and passed.

Senate bill No. 86, an Act to authorize the Board of Supervisors of Sutter County to construct a bridge and build a road across Butte Creek Slough—amended, and read third time.

Assembly bill No. 282, an Act to provide for the construction of a wagon and turnpike road in the Counties of Fresno and Mono—amendment adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 301, an Act to provide for furnishing, in printed form, the poll and tally lists papers for election purposes—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 304, an Act to amend section nineteen of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Mr. Snyder moved to exclude the County of Placer from the operation of the bill.

Lost.

The rules were suspended, bill considered engrossed, read third time, and passed.

Assembly bill No. 313, an Act to create a Special Fund for the erection of a Jail in the County of San Bernardino—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 132, an Act more effectually to limit the time for the presentation and allowance of claims against counties—amendments adopted, and ordered read third time.

Assembly bill No. 305, an Act for the relief of Paschal Bequette—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 247, an Act to authorize the Executors of the last

will and testament of Elias S. Cooper, deceased, to sell and convey real estate—ordered to bottom of file for Monday, February twenty-ninth.

On motion of Mr. Perley, Assembly bill No. 76 was taken from the table and placed on file.

At three o'clock p. m., there being no further business, on motion of Mr. Winchester, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Saturday, February 27th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Mebius presented a petition of citizens of San Francisco in favor of equipping a German battalion in that city.

Referred to the Committee on Military Affairs.

REPORTS.

Mr. Wright, from the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Senate bill No. 128, an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, have had the same under consideration, and report it back, with a recommendation of its passage;

Also, Senate bill No. 150, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three, and report the same back, with a recommendation of its passage.

WRIGHT, for Committee.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

MR. SPEAKER:—Your Committee on Ways and Means, to whom was referred Assembly bill No. 67, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, an Act amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved March third, eighteen hundred and sixty-three, have had the same under consideration, and beg leave to report it back, with a recommendation that it be indefinitely postponed.

ALLEN, Chairman.

Mr. Fraser, Chairman of the Committee on Counties and County Boundaries, made the following report :

MR. SPEAKER :—Your Committee on Counties and County Boundaries, to whom was referred Assembly bill No. 151, an Act concerning dogs, have had the same under consideration, and report the same back to the House, without recommendation

FRASER, Chairman.

Mr. Hartsough, Chairman of the Committee on Swamp and Overflowed Lands, made the following report :

MR. SPEAKER :—Your Committee on Swamp and Overflowed Lands, to whom was referred Senate bill No. 87, an Act to amend an Act supplemental to an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, Salt Marsh, and Tide Lands, donated to the State by Act of Congress, approved April eleventh, eighteen hundred and sixty-two, have had the same under consideration, and beg leave to report it back with amendments, and recommend its passage as amended.

HARTSOUGH, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims, having had under consideration Assembly bill No. 276, an Act to appropriate money to pay the claim of Phil Caduc, for ice furnished to the Supreme Court from the first day of June to the thirtieth day of November, eighteen hundred and sixty-two, would respectfully report the bill back to the House without recommendation.

The committee have also considered Assembly bill No. 275, an Act for the relief of E. Derbec, and find by the evidence presented that the claim has been before the Legislature for the past ten years. They therefore report the bill back to the House, with the recommendation that it do not pass.

CAMPBELL of El Dorado, Chairman.

Mr. Dyer made the following report :

MR. SPEAKER :—The minority of the Committee on Claims submit the following report on Assembly bill No. 276 :

The purpose of this bill is to pay, from the State Treasury, the claim of Philip Caduc for ice furnished the Supreme Court from June first to November thirtieth, eighteen hundred and sixty-two. This claim has been before the Board of Examiners, and by them has been declared valid. That the ice was furnished there appears to be no doubt; that it should be paid, is equally true; but we fail to perceive in what respect the State is liable for ice furnished the Supreme Court any more than for champagne, brandy, cigars, tobacco, gingerbread, peanuts, or raisins. We would also add that, from reading the reports of the Supreme Court, we are convinced that some of them are sufficiently cold and heartless not to need ice. We therefore recommend its indefinite postponement.

DYER,
ERKSON.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 293, an Act to amend an Act entitled an Act to provide for funding the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two;

Also, Assembly bill No. 312, an Act granting James L. Hall and his associates the right to lay down and maintain gas pipes in the Town of Brown's Valley, in Yuba County;

Also, Assembly bill No. 324, an Act to transfer certain moneys from the General Fund of Tehama County to the Wagon Road Interest and Redemption Fund.

DYER, Chairman.

Mr. Sumner made the following report :

Mr. SPEAKER :—The Butte delegation, to whom was referred Assembly bill No. 167, an Act to authorize the Board of Supervisors of Butte County to loan certain money, have considered the same, report it back with amendments, and recommend its passage as amended.

SUMNER, for Delegation.

MOTIONS AND RESOLUTIONS.

Mr. Rule offered the following resolution :

Resolved, By the Assembly, the Senate concurring, that a committee of three from each House be appointed, whose duty shall be to visit the State Prison, and inquire into the nature of the crimes committed by all persons incarcerated more than five years, the term of sentence, the number of years served in prison, and such other information as they may deem necessary.

For which, Mr. Owen offered the following substitute :

Resolved, The Senate concurring, that a committee of three from each House be appointed to examine the record of prison commitments in the office of the Governor, and inquire into the propriety of recommending to Executive clemency such prisoners as have been confined for more than five years.

Lost.

Mr. Littlefield moved to amend the original resolution by striking out "three," and inserting "one."

Lost.

Mr. Hubbard offered the following substitute :

Resolved, By the Assembly, the Senate concurring, that a joint committee of two from each House be appointed to examine the commitments of such State convicts as they may deem proper, and learn all the facts that can be obtained in relation to such commitments, and the history of each particular case, and report the same to the Legislature at as early a day as possible.

Lost.

Mr. Wilcox moved the previous question.

On which, the ayes and noes were demanded, by Messrs. Littlefield, Redfield, and Beaman, and the House refused to sustain the motion by the following vote :

AYES—Messrs. Allen, Beaman, Bownian, Brooks, Cherry, Dodson, Dow, Fraser, Hubbard, Johnson, Littlefield, Ludlow, McColliam, Owen, Parker, Perley, Perrin, Personette, Redfield, Rhoads, Scott of Alameda, Scott of Siskiyou, Sepulveda, Sumner, Van Schaick, Wason, Wilcox, and Wilsey—28.

NOES—Messrs. Boulware, Brown of Amador, Brown of Tulare, Buffum, Chappell, Clark, Devoe, Dickinson, Dutton, Dyer, Erkson, Hartsough, Hill, Hittell, Hoag, Hirst, Kendrick, Langdon, Martin, Rule, Smith of Nevada, Snyder, Teare, Van Leuven, Walker of Alameda, Watson, Weston, Winchester, and Wright—29.

Mr. Chappell moved to amend, by adding, "and such committee shall receive no compensation as mileage."

Mr. Weston moved the previous question.

Sustained.

On adopting the amendment offered by Mr. Redfield, the ayes and noes were demanded, by Messrs. Winchester, Chappell, and Devoe, and taken, with the following result :

AYES—Messrs. Allen, Beaman, Brown of Amador, Chappell, Clark, Devoe, Dickinson, Dodson, Dutton, Erkson, Hittell, Hoag, Hirst, Kendrick, Langdon, Littlefield, Lux, Mebins, Redfield, Scott of Siskiyou, Smith of Sonoma, Teare, Van Leuven, Van Schaick, Wilcox, and Wright—26.

NOES—Messrs. Bowman, Boulware, Brooks, Buffum, Dyer, Fraser, Hill, Hubbard, Jenison, Johnson, Ludlow, Martin, Owen, Parker, Perley, Perrin, Pratt, Rhoads, Scott of Alameda, Sepulveda, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilsey, and Winchester—30.

So the motion was lost.

The resolution was amended so as to read as follows :

WHEREAS, the Attorney-General, in his last annual report, positively affirms that "he is convinced there are men in the State Prison who are innocent of crime," and that "there are many who have been barbarously punished by the length of time imposed," and "many who have committed a first offence," all of whom "might be restored to society by the exercise of judicious clemency ;" therefore,

Resolved, By the Assembly, the Senate concurring, that a committee of three from each House be appointed, whose duty shall be to visit the State Prison, and inquire into the nature of the crimes committed by all persons incarcerated, the terms of sentence, the number of years served in Prison, and such other information as they may deem necessary, and recommend such prisoners to the Governor for pardon as they may think proper subjects for Executive clemency.

On adopting the resolution as amended, the ayes and noes were demanded, by Messrs. Redfield, Littlefield, and Weston, and the House refused to adopt, by the following vote :

AYES—Messrs. Boulware, Buffum, Hill, Jenison, Johnson, Ludlow, Martin, Parker, Perley, Pratt, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Sumner, Tukey, Walker of Alameda, Wason, and Winchester—20.

NOES—Messrs. Allen, Beaman, Bowman, Brooks, Brown of Amador, Chappell, Clark, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Hittell, Hoag, Hubbard, Hirst, Kendrick, Langdon, Littlefield, Lux, Mebius, Owen, Perrin, Redfield, Scott of Siskiyou, Smith of Sonoma, Snyder, Teare, Van Leuven, Van Schaick, Watson, Weston, Wilcox, Wiley, Wilsey, and Wright—40.

Mr. Beaman offered a resolution requesting the Judiciary Committee to report on certain proposed amendments to the Constitution.

Laid on the table.

Mr. Hubbard offered a concurrent resolution concerning the pay of officers and men on the Pacific coast enlisted in the service of the United States.

Referred to the Committee on Military Affairs.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
February 26th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Senate bill No. 192, an Act concerning the office of Auditor of the County of Sacramento.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
February 27th, 1864. }

Mr. SPEAKER:—The Senate, yesterday, amended and passed Assembly bill No. 229, an Act to prevent the destruction of timber on the Public Lands in this State ;

Also, passed Assembly bill No. 265, an Act to fix the compensation of the Board of Supervisors of Fresno County ;

Also, amended and passed Assembly bill No. 303, an Act making appropriations for deficiencies in the appropriations for the fifteenth session of the Legislature ;

Also, passed Assembly bill No. 217, an Act to authorize the County Treasurers of the Counties of Napa, Lake, and Mendocino, to collect and receive certain public moneys ;

Also, passed Assembly bill No. 263, an Act to amend an Act entitled an Act to define the Senatorial Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one ;

Also, passed Senate bill No. 144, an Act concerning suits wherein the State is a party ;

Also, passed Senate bill No. 213, an Act to define the boundary lines of the County of Sutter ;

Also, on the seventeenth instant, passed Senate bill No. 228, an Act to fix the salary of the Superintendent of Public Schools of Mendocino County ;

Also, on the same day, passed Senate bill No. 210, an Act concerning the recording of certificates of incorporation, and the arrangement of the archives of State in the Secretary of State's office;

Also, on the same day, passed Senate bill No. 200, an Act concerning the salary and fees of the Coroner of the City and County of San Francisco;

Also, on the eighteenth instant, passed Senate bill No. 103, an Act relating to appeals;

Also, on the twenty-sixth instant, amended the amendment of the Assembly to Senate bill No. 142, an Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regulating the same, and to confer further powers upon the Auditor and Treasurer of said city and county, approved April twenty-seventh, eighteen hundred and sixty-three, and concurred in said amendment as amended.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendments to Assembly bill No. 303, above reported.

The House concurred in Senate amendments to Assembly bill No. 229, above reported.

Senate bill No. 192, above reported, read first and second times, and referred to the Sacramento delegation.

Senate bill No. 103, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 144, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 142, above reported, read first and second times, and ordered to General File.

Senate bill No. 200, above reported, read first and second times, and ordered to General File.

Senate bill No. 210, above reported, read first and second times, and referred to Committee on Ways and Means.

Senate bill No. 228, above reported, read first and second times, and referred to the Mendocino delegation.

Senate bill No. 213, above reported, read first and second times, and referred to the Butte and Sutter delegations.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Van Schaick, for an Act concerning roads and highways in Santa Clara County.

Read first and second times, and ordered to General File.

By Mr. Sepulveda, for an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved March third, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Beaman, for an Act to provide for the levying of a tax upon

the taxable property within the counties comprised within the society known as the Northern District Agricultural, Mechanical, and Horticultural Society, to pay the indebtedness of the State Agricultural Society.

Read first and second times, and referred to the delegations from the counties embraced in the bill.

By Mr. Devoe, for an Act to incorporate the Town of Santa Cruz.

Read first and second times, and referred to the Santa Cruz delegation.

By Mr. Clark, for an Act concerning jurors in Plumas County.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wright, for an Act to amend an Act entitled an Act amendatory and supplementary to an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, approved April twenty-second, eighteen hundred and fifty-eight.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hittell, for an Act concerning mortgages.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Badlam, for an Act granting further powers to the Board of Supervisors of the County of Sacramento.

Read first and second times, and referred to the Sacramento delegation.

The rules were suspended, and the following resolution was offered by Mr. Fraser :

Resolved, That Assembly bills Nos. 113 and 151, Acts concerning dogs, be referred to the Committee on Ways and Means, with instructions to report a substitute for both bills.

Mr. Martin moved to amend by striking out "the Committee on Ways and Means," and insert "a committee of Messrs. Fraser and Dodson."

The amendment was adopted.

The resolution, as amended, was adopted.

Mr. Watson moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Allen, Badlam, and Dow, and the House refused, by the following vote :

Ayes—Messrs. Brown of Amador, Brown of Tulare, Hartsough, Kendrick, Snyder, Sumner, Van Leuven, and Watson—8.

Noes—Messrs. Allen, Badlam, Beaman, Boulware, Buffum, Cherry, Clark, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Green, Hittell, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Perley, Perrin, Personette, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Van Schaick, Wason, Wilcox, Wilsey, Winchester, and Wright—42.

The rules were suspended for the following report by Mr. Lux :

MR. SPEAKER :—Your Committee on Public Buildings, to whom was referred Assembly bill No. 79, with instructions to make amendments thereto, have respectfully complied with instructions, and ask leave to

report the same back with such amendments, and recommend the passage of the bill as amended ;

We also herewith transmit to the House a report, with estimates and specifications, from Reuben Clark, Superintendent and Architect of the State Capitol Building.

LUX,
WATSON,
BEAMAN,
SCOTT of Siskiyou,
MEBIUS.

The report and accompanying documents were ordered printed.

GENERAL FILE.

Assembly bill No. 245, an Act to grant to certain parties therein named the right to construct and maintain a turnpike or toll road from the Town of Sonora, in Tuolumne County, to the State line in Mono County—read third time, and passed.

Senate bill No. 125, an Act amendatory of and supplementary to an Act entitled an Act to tax foreign insurance companies doing business in this State, approved April fifteenth, eighteen hundred and sixty-two—rules suspended, read third time, and passed

Senate bill No. 86, an Act to authorize the Board of Supervisors of Sutter County to construct a bridge and build a road across Butte Creek Slough—read third time, and passed.

Assembly bill No. 233, an Act amendatory of and supplementary to an Act, passed March twenty-third, eighteen hundred and fifty—considered in Committee of the Whole, (Mr. Dodson in the Chair,) and amended.

IN ASSEMBLY.

Reported and recommended.

Mr. Scott of Alameda offered the following addition to the substitute for section two, adopted in Committee of the Whole :

“And if the Board of Judges are satisfied, from his answer as aforesaid, that such person is not a legal voter, they shall reject his vote.”

Mr. Owen moved the previous question.

Sustained.

On adopting the amendment to the substitute, the ayes and noes were demanded, by Messrs. Wright, Weston, and Walker of Alameda, and the amendment was adopted, by the following vote :

AYES—Messrs. Badlam, Beaman, Brown of Tulare, Buffum, Chappell, Clark, Clayton, Devoe, Dodson, Dutton, Dyer, Erkson, Fraser, Green, Hittell, Hirst, Langdon, Lux, Owen, Parker, Perrin, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Schaick, Weston, Winchester, and Wright—29.

NOES—Messrs. Boulware, Brown of Amador, Dickinson, Dow, Hoag, Jenison, Johnson, Kendrick, Littlefield, Ludlow, Martin, McColham, Mebius, Personette, Redfield, Rhoads, Scott of Siskiyou, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Wason, Wilsey, and Whallon—24.

On the adoption of the substitute, the ayes and noes were demanded, by Messrs. Whallon, Dow, and Weston, and the House adopted by the following vote :

AYES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Tulare, Buffum, Chappell, Clark, Clayton, Devoe, Dodson, Dutton, Dyer, Erks-son, Fraser, Green, Hittell, Hirst, Jenison, Johnson, Langdon, Littlefield, Lux, Owen, Parker, Perley, Perrin, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Schaick, Weston, Winchester, and Wright—36.

NOES—Messrs. Boulware, Brown of Amador, Dickinson, Dow, Kendrick, Ludlow, Martin, McColliam, Mebius, Personette, Redfield, Rhoads, Scott of Siskiyou, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Wason, Wilsey, and Whallon—21.

The other amendments adopted in Committee, except that to section three, were adopted, and the bill ordered engrossed and read third time.

On motion of Mr. Beaman, at five o'clock P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, February 29th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Clark presented a petition from the county officers and other citizens of Plumas County, for the repeal of an Act concerning grand and trial jurors, applicable to that county.

Referred to the Judiciary Committee.

REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 217, an Act to authorize the County Treasurers of the Counties of Napa, Lake, and Mendocino, to collect and receive certain public moneys ;

Also, Assembly bill No. 306, an Act to authorize the Board of Supervisors of Placer County to levy a special poll tax for county purposes ;

Also, Assembly bill No. 177, an Act to amend an Act entitled an Act to authorize the Board of Supervisors of the Counties of Lake and Napa, respectively, to levy a special tax for the purpose of improving and repairing the public highway connecting Napa City and Lakeport ;

Also, Assembly bill No. 173, an Act amendatory of an Act entitled an

Act to define the boundaries and provide for the organization of Lake County, approved May twentieth, eighteen hundred and sixty-one;

Also, Assembly bill No. 185, an Act to amend an Act concerning the office of County Clerk, Sheriff, and County Recorder of the City and County of San Francisco, approved March seventh, eighteen hundred and fifty-nine;

Also, Assembly bill No. 198, an Act to amend an Act entitled an Act to prohibit the carrying of concealed weapons;

Also, Assembly bill No. 281, an Act concerning the official bond of the County Clerk, Sheriff, Recorder and Auditor, the Assessor, and Superintendent of Common Schools of the County of San Luis Obispo;

Also, Assembly bill No. 183, an Act in relation to the office of County Superintendent of Common Schools of the County of San Joaquin;

Also, Assembly bill No. 178, an Act in regard to holding terms of the County Court in certain counties of this State;

And on Saturday, February twenty-seventh, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 87, an Act relating to the Swamp and Overflowed Land in District Number Two, in the County of Sacramento;

Also, Assembly bill No. 232, an Act to grant to John N. Dudleston and his associates and assigns the right to construct and maintain a toll road in Mono County;

Also, Assembly bill No. 296, an Act to amend an Act to incorporate the Town of Downieville, approved March eighteenth, eighteen hundred and sixty-three;

Also, Assembly bill No. 301, an Act to provide for furnishing, in printed form, the poll and tally lists papers, for election purposes;

Also, Assembly bill No. 304, an Act to amend section nineteen of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 305, an Act for the relief of Paschal Bequette;

Also, Assembly bill No. 300, an Act to provide for ascertaining the amount of fees paid to certain officers

DYER, Chairman.

Mr. Hartsough, Chairman of the Committee on Swamp and Overflowed Lands, made the following report:

MR. SPEAKER:—Your Committee on Swamp and Overflowed Lands have had the petition of E. Schwiesen under consideration, and beg leave to recommend that it be indefinitely postponed.

HARTSOUGH, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report:

Mr. SPEAKER:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 299, an Act to amend an Act passed May second, eighteen hundred and sixty-two, entitled an Act to grant the right to construct a turnpike road from the Town of La Porte, County of Sierra, through or near the Beckwith Pass, to the eastern boundary line of this State, have had the same under consideration, and beg leave to report it back favorably.

LUDLOW, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

Mr. SPEAKER:—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 188, an Act entitled an Act concerning private roads in the County of Sacramento, have had the same under consideration, and report it back, with the recommendation that it pass.

LUDLOW, Chairman.

Mr. Wilsey made the following report :

Mr. SPEAKER:—The Mendocino delegation, to whom was referred Senate bill No. 228, an Act to fix the salary of the Superintendent of Public Schools in Mendocino County, have had the same under consideration, and ask to report the same back, with the recommendation that it pass.

WILSEY, for Delegation.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report :

Mr. SPEAKER:—The Committee on Commerce and Navigation, to whom was referred Assembly bill No. 190, an Act to authorize the sale and conveyance to the Golden City Homestead Association of certain Overflowed Lands in the City and County of San Francisco, have had the same under consideration, and beg leave to report it back to the House with amendments, and recommend its passage as amended ;

Also, Assembly bill No. 214, an Act to authorize the sale and conveyance to the North San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco, and report the same back with amendments, and recommend its passage as amended ;

Also, Senate bill No. 116, an Act amendatory of and supplementary to an Act entitled an Act to provide for the improvement and protection of the wharves, docks, and water front in the City and County of San Francisco, approved April twenty-fourth, eighteen hundred and sixty-three, and report it back and recommend its passage.

HUNT, Chairman.

Mr. Watson made the following report :

Mr. SPEAKER:—The Sacramento delegation, to whom was referred Senate bill No. 192, an Act concerning the office of Auditor of the County of Sacramento, beg leave to report the same back, and recommend its indefinite postponement.

WATSON,
TUKEY,
BADLAM,
RHODS.

Mr. Watson made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred Senate bill No. 187, an Act to amend an Act entitled an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three, have had the same under consideration, and report the same back, and recommend its passage.

WATSON,
TUKEY,
HUNT,

Mr. Watson made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred Senate bill No. 199, an Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three, have had the same under consideration, and report the same back, and recommend its passage.

WATSON,
TUKEY,
HUNT.

Mr. Watson made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred Assembly bill No. 226, an Act amendatory of and supplementary to an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty, have had the same under consideration, and report the same back, with a recommendation that it be indefinitely postponed.

WATSON,
TUKEY,
BADLAM,
RHODS,
HUNT.

Mr. Watson made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred Senate bill No. 188, an Act to fix the terms of the County Court and Probate Court of the County of Sacramento, have had the same under consideration, and report the same back, with the recommendation that it be passed.

TUKEY,
WATSON,
HUNT.

Mr. Watson made the following report :

MR. SPEAKER :—The Sacramento delegation, to whom was referred Senate bill No. 176, an Act relative to the office of District Attorney of the County of Sacramento, have had the same under consideration, and report the same back, with a recommendation that it be indefinitely postponed.

TUKEY,
WATSON,
HUNT.

Mr. Watson made the following report :

Mr. SPEAKER:—The Sacramento delegation, to whom was referred Assembly bill No. 339, an Act granting further powers to the Board of Supervisors, report the same back, and recommend its passage.

WATSON,
BADLAM,
RHOADS.

Mr. Wason made the following report :

Mr. SPEAKER:—The Solano delegation, to whom was referred Assembly bill No. 106, an Act in relation to roads and Road Masters in Solano County, have had the same under consideration, and ask leave to report the same back with a substitute, and recommend its passage.

WASON, for Delegation.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 27th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have this day approved Assembly bill No. 281, an Act concerning the official bonds of the County Clerk, Sheriff, Recorder, Auditor, and Assessor of the County of San Luis Obispo.

FRED'K F. LOW,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, February 27th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 92, an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco. approved May ninth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 225, an Act to appropriate money to pay the claim of T. R. Eldredge and Manuel Torres, for translating laws into Spanish ;

Also, Assembly bill No. 154, an Act supplemental to an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty ;

Also, Assembly bill No. 155, an Act to authorize the issuance of a duplicate bond and certificate to Robert M. Irving ;

Also, Assembly bill No. 81, an Act to provide for the payment of the claim of H. H. Bancroft & Co. ;

Also, Assembly bill No. 251, an Act to make the salary of the District Attorney of San Joaquin County payable monthly ;

Also, Assembly bill No. 152, an Act for the relief of Mary Bowie ;

Also, Assembly bill No. 27, an Act to grant the right to construct and maintain a bridge across the Mokelumne River.

FRED'K F. LOW,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
 Sacramento, February 29th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have this day approved Assembly bill No. 217, an Act to authorize the County Treasurers of the Counties of Napa, Lake, and Mendocino, to collect and receive certain moneys as revenue ;

Also, Assembly bill No. 173, an Act amendatory of an Act entitled an Act to define the boundaries and provide for the organization of Lake County, approved May the twentieth. one thousand eight hundred and fifty-one.

FRED'K F. LOW,
 Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT. }
 Sacramento, February 29th, 1864. }

To the Assembly of the State of California :

I herewith return, without my approval, Assembly bill No. 202, an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale.

Believing that special legislation concerning the estates of deceased persons was unwise and fraught with evil consequences, I returned to your honorable body, without my approval, Assembly bill No. 148, at the same time giving my reasons therefor.

Since the date of that communication, I have carefully examined the subject, which examination has confirmed me in the opinion that this species of legislation is not only unwise, but is also in contravention of the spirit and intention of the Constitution. The matter of the settlement and distribution of the estate of a deceased person is a judicial proceeding purely, under our Constitution, and that instrument declares what tribunal shall perform such judicial functions. If the Legislature may enact that an estate may be sold without an order of the Court in a certain case, why may it not say that the Administrator in the same case shall give no bonds ; or if the County Judge should annul the letters of administration, on account of incompetency, or other cause, why may not the Legislature reinstate him by special Act ? If the Legislature acts as a Probate Court, why may it not assume the duties of the District Courts, also, and provide that, in some especial case of hardship, the property of the defendant shall not be subject to attachment ; or, where an attachment has been issued, and judgment rendered, that the Sheriff may sell the property at private sale ? Such legislation would not, I imagine, be looked upon with any favor ; yet I fail to see any difference in principle between that and the bill under consideration.

I am aware that the Supreme Court, in deciding on the constitutionality of a certain special Act, providing for a change of venue in a somewhat noted criminal case, impliedly approved of this class of legislation, contrary to the opinions of the best legal minds in the State ; but the decision was so repugnant to the good sense and opinions of good citizens, that it is doubtful if a similar one could be obtained from any Court at the present time.

I am firmly of the opinion that the Probate Courts should be exclusively charged with probate business, and, if the Legislature deem it advisable, the general law could be so amended that those Courts could,

in certain cases, and under proper restrictions, order the property of the estates of deceased persons to be sold at private sale.

FRED'K F. LOW,
Governor.

The consideration of the foregoing message was made the special order for Wednesday, March ninth, at twelve o'clock M.

The rules were suspended for the following minority report by Mr. Clayton :

Mr. SPEAKER:—The undersigned, a minority of your Committee on Commerce and Navigation, have had under consideration Assembly bills Nos. 214 and 190, and beg leave to dissent from the views entertained by the majority of said committee.

The bills above mentioned propose to authorize the Board of Swamp Land Commissioners to cede to the persons and associations therein named certain Overflowed and Tide Lands belonging to the State, situate in the City and County of San Francisco, on such terms as they may deem just.

The undersigned are of opinion that if it be desirable on the part of the State to dispose of said lands, a proper regard for her interests would demand that the same should be sold at public sale, in order that a fair equivalent may be received, and also that all of her citizens may have an opportunity of becoming purchasers, believing, as we do, that we are the representatives of the whole people, and not of the favored few.

We therefore recommend that these bills be indefinitely postponed.

SCOTT of Alameda,
CLAYTON.

Mr. Jenison offered a concurrent resolution granting L. W. Elliott, District Attorney of Tehama County, four months leave of absence.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
February 27th, 1864. }

Mr. SPEAKER:—I am instructed to inform the Assembly that the Senate, this day, passed Assembly bill No. 245, an Act to grant to certain parties therein named the right to construct and maintain a turnpike or toll road from the Town of Sonora to the State line in Mono County.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
February 29th, 1864. }

Mr. SPEAKER:—The Senate, on the twenty-seventh instant, passed Assembly bill No. 252, an Act to define the legal distances from the county seat of Lake County to the Capital, Lunatic Asylum, and State Prison ;

Also, same day, passed Assembly bill No. 53, an Act making appropriations for a deficiency in the appropriations made for the fourteenth fiscal year ending on the thirtieth day of June, eighteen hundred and sixty-three ;

Also, same day, passed Assembly bill No. 295, an Act to provide for

and define the manner of collecting a tax to build a School-house in Court-house District, Sonoma County;

Also, same day, passed Assembly bill No. 326, an Act to provide for the transfer of certain funds belonging to the City and County of San Francisco;

Also, same day, passed substitute for Assembly bill No. 230, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers therein;

Also, same day, amended and passed Assembly bill No. 105, an Act granting the right of way over certain lands in this State in the Counties of Lake and Sonoma for the construction of a wagon road;

Also, same day, passed Assembly bill No. 262, an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State;

Also, same day, amended and passed Assembly bill No. 97, an Act to repeal an Act entitled an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin;

Also, same day, passed Assembly bill No. 208, an Act to appropriate money to pay the claim of Benjamin P. Avery;

Also, same day, amended and passed Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River;

Also, same day, passed Senate bill No. 48, an Act concerning offices;

Also, same day, passed Senate bill No. 72, an Act to provide for the collection of certain moneys due this State;

Also, same day, passed Senate bill No. 225, an Act for the relief of Levi Beck;

Also, same day, concurred in Assembly amendments to Senate bill No. 86, an Act to authorize the Board of Supervisors of Sutter County to construct a bridge and build a road across Butte Creek Slough;

Also, same day, indefinitely postponed Assembly bill No. 123, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

A. W. BISHOP,

Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendments to Assembly bill No. 97, above reported.

Also, concurred in Senate amendments to Assembly bill No. 105, above reported.

Also, concurred in Senate amendments to Assembly bill No. 215, above reported.

Also, concurred in Senate amendments to Assembly bill No. 230, above reported.

Senate bill No. 72, above reported, read first and second times, and referred to the Committee on Ways and Means

Senate bill No. 48, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 225, above reported, read first and second times, and referred to the Committee on Claims.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hill, for an Act to amend an Act entitled an Act to provide for the sale of certain lands belonging to the State, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Hittell, for an Act relative to chattel mortgages on stock of incorporated companies.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Sepulveda, for an Act to change the name of Frances Anne Blackwell to Frances Anne Hopper.

Read first and second times, and ordered to file.

GENERAL FILE.

Assembly bill No. 132, an Act more effectually to limit the time for the presentation and allowance of claims against counties—read third time, and passed.

Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers for the year eighteen hundred and sixty-four—recommitted to the Judiciary Committee.

Assembly bill No. 189, an Act to amend an Act entitled an Act in relation to liens of mechanics and others—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three—returned to file.

Assembly bill No. 250, an Act to provide for the payment of the salary of the County Judge of Trinity County—indefinitely postponed.

Senate bill No. 151, an Act to amend an Act amendatory of and supplementary to an Act entitled an Act to transfer certain funds, passed January thirty-first, eighteen hundred and sixty-three, passed January ninth, eighteen hundred and sixty-four—rules suspended, read third time, and passed.

Senate bill No. 184, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, approved April fourteenth, eighteen hundred and fifty-three—rules suspended, read third time, and passed.

Senate bill No. 146, an Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings, passed April eleventh, eighteen hundred and sixty-two. rules suspended, read third time, and passed.

Assembly bill No. 287, an Act to amend an Act entitled an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 164, an Act to extend the time for the completion of the Big Tree and Carson Valley Turnpike Road—rules suspended, read third time, and passed.

Senate bill No. 160, an Act to provide for the construction of a turnpike road in Santa Clara and Santa Cruz Counties—returned to file.

Senate bill No. 121, an Act to appropriate money to pay the claim of George W. Gordon—considered in Committee of the Whole (Mr. Wright in the Chair.)

IN ASSEMBLY.

Reported and recommended, read third time, and passed.

Senate bill No. 223, an Act for the relief of John I. Sykes, County Auditor of the County of Nevada—rules suspended, read third time, and passed.

Assembly bill No. 308, an Act to create the County of Lassen, to define its boundaries, and provide for its organization—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 328, an Act to amend an Act entitled an Act to incorporate the Town of Eureka, approved April ninth, eighteen hundred and fifty-nine—amendment adopted, rules suspended, considered engrossed, read third time, and passed, and title amended.

Assembly bill No. 329, an Act relating to the establishment of the eastern boundary of the State of California—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 76, an Act to establish and maintain Public Pounds for the better securing estrays and unruly horses, mules, cattle, and other stock in the County of San Joaquin—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 128, an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three.

Mr. Tukey moved to strike out "twelve," and insert "eight hundred dollars."

Mr. Scott of Alameda offered, as a substitute, to strike out "twelve," and insert "nine hundred."

The amendment offered by Mr. Tukey was withdrawn.

On adopting the motion to strike out "twelve," and insert "nine," the ayes and noes were demanded, by Messrs. Wright, Martin, and Weston, and taken, with the following result:

AYES—Messrs. Beaman, Boulware, Brooks, Buffum, Cherry, Clayton, Devoe, Dickinson, Dow, Dutton, Erkson, Fraser, Green, Johnson, Kendrick, Langdon, Littlefield, Martin, McColliam, Perley, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Tukey, Van Leuven, Van Schaick, Wason, Watson, and Weston—36

NOES—Messrs. Allen, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Dodson, Hittell, Jenison, Teare, Walker of Alameda, Wilsey, and Wright—11.

The rules were suspended, and the bill as amended considered engrossed, read third time, and passed.

Senate bill No. 150, an Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three—amendments reported by the committee adopted, and the bill ordered read third time.

Assembly bill No. 79, on motion of Mr. Rule, was taken from General File and made special order for Friday, March fourth, at twelve o'clock M., and ordered printed with amendments reported.

Assembly bill No. 67, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, May fourteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved March third, eighteen hundred and sixty-three—ordered to bottom of file.

Senate bill No. 87, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, Salt Marsh, and Tide Lands donated to the State by Act of Congress, approved April eleventh, eighteen hundred and sixty-two—amendment adopted, and ordered read third time.

Assembly bill No. 276, an Act to appropriate money to pay Philip Caduc.

On the question to indefinitely postpone the bill, Messrs. Winchester, Perley, and Wilcox, demanded the ayes and noes.

Mr. Rule raised the point of order, that a bill involving an appropriation of money cannot be indefinitely postponed until the same had been considered in Committee of the Whole.

The Speaker pro tem ruled the point not well taken.

Mr. Cherry appealed from the decision of the Chair.

By viva voce vote the decision of the Chair was declared the judgment of the House.

The bill was indefinitely postponed by the following vote :

AYES—Messrs. Allen, Bowman, Boulware. Brooks, Chappell, Clark, Clayton, Devoe, Dickinson, Dodson, Dow, Dyer, Erkson, Fraser, Green, Hartsough, Hoag, Hirst, Kendrick, Langdon, Littlefield, Ludlow, McColliam, Parker, Perrin, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Sonoma, Sumner, Van Leuven, Van Schaick, Walker of Fresno, Wason, Weston, Wilsey, and Wright—38.

NOES—Messrs. Alley, Badlam, Beaman, Brown of Amador, Buffum, Campbell of El Dorado, Cherry, Jenison, Johnson, Mebius, Perley, Rhoads, Rule, Smith of Nevada, Snyder, Teare, Tukey, Walker of Alameda, Wilcox, Winchester, and Whallon—21.

Assembly bill No. 275, an Act for the relief of E. Derbec—indefinitely postponed.

Assembly bill No. 167, an Act to authorize the Board of Supervisors of Butte County to loan certain money—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 200, an Act concerning the salary and fees of the Corner of the City and County of San Francisco—rules suspended, read third time, and passed.

Senate bill No. 142, an Act to amend an Act entitled an Act to establish and define the powers and duties of the Board of Education of the City and County of San Francisco, and to repeal former Acts regulating the same, and to confer further powers upon the Auditor and Treasurer of said city and county, approved April twenty-seventh, eighteen hundred and sixty-three—amendment adopted.

Assembly bill No. 334, an Act concerning roads and highways in Santa Clara County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 247, an Act to authorize the Executors of the last will and testament of Elias S. Cooper, deceased, to sell and convey real

estate—rules suspended, considered engrossed, read third time, and passed.

There being no further business, at four o'clock and eighteen minutes P. M., on motion of Mr. Wilcox, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 1st, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 222, an Act in relation to the water front adjacent to Block Number Nine, in the City and County of San Francisco ;

Also, Assembly bill No. 272, an Act to grant to William Beale the right to construct a toll road from Arms' store, in Sierra Valley, to the Junction House, on the Henness Pass Road, in the County of Sierra, and to collect toll thereon ;

Also, Assembly bill No. 279, an Act supplementary to and amendatory of the Act entitled an Act concerning County Recorders, passed March twenty-sixth, eighteen hundred and fifty-one ;

Also, Assembly bill No. 282, an Act to provide for the construction of a wagon and turnpike road in the Counties of Fresno and Mono ;

Also, Assembly bill No. 311, an Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and amended April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 313, an Act to create a Special Fund for the erection of a jail in the County of San Bernardino.

DYER, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

Mr. SPEAKER :—Your Committee on Ways and Means, to whom was referred Assembly bill No. 335, an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, have had the same under consideration, and report the same back, with the recommendation that it pass ;

Also, Senate bill No. 210, an Act concerning the recording of certificates of incorporation, and the arrangement of the archives of State in the Secretary of State's office, have had the same under consideration, and report the same back, with the recommendation that it pass;

Also, Assembly bill No. 310, an Act making appropriations for deficiencies in the appropriations made for the fifteenth fiscal year, have had the same under consideration, amended it, and recommend its passage as amended;

Also, Assembly bill No. 331, an Act to abolish the office of State Gauger, have had the same under consideration, and recommend that it do not pass;

Also, Assembly bill No. 259, an Act fixing the salaries of State officers and Clerks, and the employes of the Senate and Assembly, have had the same under consideration, and recommend that it do not pass.

ALLEN, Chairman.

Mr. Dodson, from the Committee on Ways and Means, made the following report :

MR. SPEAKER :—Your Committee on Ways and Means, to whom was referred Assembly bill No. 322, an Act to provide for taking the State census, have had the same under consideration, made amendments thereto, and recommend the passage of the bill as amended.

DODSON, for Committee.

Mr. Scott of Alameda, from the Committee on Commerce and Navigation, made the following minority report :

MR. SPEAKER :—Being a member of the Committee on Commerce and Navigation, to whom was referred Senate bill No. 116, I beg leave to make the following minority report concerning the same :

The twelfth section of said bill contains a provision to increase the salary of the present Wharf Commissioners from one hundred dollars to two hundred and fifty dollars per month each; to this section of the bill, alone, I am opposed. If the salary is insufficient, this is not the time to seek to increase it. The Commissioners have recently been chosen for a definite period, at a fixed salary of one hundred dollars per month, and no sooner are they elected than an effort is made not only to increase but even to more than double the salary at present allowed them by law. The Commissioners by accepting the positions, agreed, impliedly at least, to give their services for the salary which it is now attempted to have raised. There is, virtually, a contract between them and the State to that effect; a contract to which, in my judgment, the Commissioners should of right be held while they choose to retain their offices. If an attempt were made to lower the salary of the Commissioners during their term of office, it would be met by the argument that the State had agreed to pay them a fixed salary, and that to reduce it during the term for which they were elected would be grossly unjust, as it unquestionably would. Why the same course of reasoning should not apply when an attempt is made to compel the State to pay them more than it had originally agreed to pay, I am at a loss to conceive. Though in this particular instance, no great wrong might be done in the passage of this bill, yet it would establish a most pernicious precedent, and I therefore hope the bill will not pass unless section twelve be stricken out.

Respectfully submitted.

SCOTT of Alameda, for Minority.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report :

Mr. SPEAKER :—The Committee on Commerce and Navigation have had under consideration Assembly bill No. 330, an Act to improve the navigation of the Mokelumne River, and report it back, and recommend its passage ;

Also, Assembly bill No. 238, an Act authorizing Joseph Galloway and his associates to build a dry dock, and report it back, and recommend its indefinite postponement.

HUNT, Chairman.

Mr. Personette, Chairman of the Committee on Mileage, made the following report :

Mr. SPEAKER :—The Committee on Mileage present the following report of mileage due the members of special committee who visited the Reform School at San Francisco :

| Names. | Amount. |
|--------------------|---------|
| Mr. Martin..... | \$46 80 |
| Mr. Lux | 46 80 |
| Mr. Cherry..... | 46 80 |
| Mr. Boulware | 46 80 |
| Mr. Hubbard | 46 80 |

Resolved, That the Controller is hereby ordered to draw his warrants on the Contingent Fund of the Assembly :

In favor of S. Martin, for forty-six dollars and eighty cents ;
 In favor of F. Lux, for forty-six dollars and eighty cents ;
 In favor of J. W. Cherry, for forty-six dollars and eighty cents ;
 In favor of M. Boulware, for forty six dollars and eighty cents ;
 In favor of L. Hubbard, for forty-six dollars and eighty cents.

PERSONETTE, Chairman,
 ALLEN,
 DUTTON,
 LUX.
 CASTRO.

Adopted.

Mr. Wright, from the Judiciary Committee. made the following report :

Mr. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 340, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, approved April twenty-second. A D. eighteen hundred and fifty-eight, have had the same under consideration, and report it back with the recommendation that it pass ;

Also, Senate bill No. 144, an Act concerning suits wherein the State is a party, and report it back, and recommend its passage;

Also, Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers for the year eighteen hundred and sixty-four, which was recommitted to the Committee, and report the same back with a substitute, and recommend the passage of the substitute.

WRIGHT, for Committee.

Mr. Winchester made the following report:

MR. SPEAKER:—The Placer delegation, to whom was referred Assembly bill No. 291, have had the same under consideration, amended it, report it back as amended, and recommend its passage.

WINCHESTER,
PRATT.

Mr. Weston made the following report:

MR. SPEAKER;—The committee to whom was referred the bill No. 205, an Act concerning roads and highways in the County of Sierra, beg leave to report back to the House a substitute for the original bill, and recommend the passage of the substitute.

WESTON, for Committee.

Mr. Cherry made the following report:

MR. SPEAKER:—The San Francisco delegation, to whom was referred Assembly bill No. 149, an Act to perfect the title to the Van Ness lands, having had the same under consideration, report it back, with a recommendation that it be indefinitely postponed.

CHERRY, for Delegation.

Mr. Langdon made the following report:

MR. SPEAKER:—The Calaveras delegation, to whom was recommitted Senate bill No. 105, an Act to grant the right to construct a turnpike road from Campo Seco to Mokelumne Hill, thence to the Big Tree Road, near the Big Meadows, in Calaveras County, have had the same under consideration, report it back with an amendment, and recommend its passage as amended.

LANGDON, for Delegation.

Mr. Watson made the following report:

MR. SPEAKER:—The Sacramento delegation, to whom was referred Senate bill No. 186, an Act amendatory of and supplemental to an Act entitled an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three, have had the same under consideration, and report the same back, with a recommendation that it pass.

TUKEY,
HUNT,
WATSON,
RHOADS,
BADLAM.

Mr. Watson made the following report:

Mr. SPEAKER:—The Sacramento delegation, to whom was referred Senate bill No. 178, an Act for the relief of the State Agricultural Society, beg leave to report that they have had the same under consideration, and return it back without recommendation. Petitions and remonstrances accompany the same.

WATSON,
TUKEY,
RHOADS.

Mr. Badlam made the following report:

Mr. SPEAKER:—Being a member of the Sacramento delegation, I beg leave to submit a minority report in regard to levying a tax by the County of Sacramento to pay the debt of the State Agricultural Society, and recommend the indefinite postponement of said Senate bill No. 178.
BADLAM.

Mr. Tukey gave notice of the introduction of a bill for an Act in relation to the offices of Treasurer, Auditor, Sheriff, District Attorney, and County Clerk of the County of Sacramento.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
March 1st, 1864. }

Mr. SPEAKER:—The Senate, on the nineteenth ultimo, passed Senate bill No. 215, an Act supplementary to an Act entitled an Act in relation to suits brought for the collection of delinquent taxes, approved May twelfth, eighteen hundred and sixty-two.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
February 29th, 1864. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate, this day, passed Assembly bill No. 145, an Act concerning roads and highways;

Also, this day, passed Senate bill No. 212, an Act to amend an Act for the location and sale of the unsold portion of the five hundred thousand acres of land granted this State by Act of Congress of April, eighteen hundred and fifty-eight;

Also, this day, passed substitute for Senate bill No. 110, an Act authorizing the Board of Supervisors of Sierra County to provide for the construction of a certain wagon road in that county.

CHAS. WESTMORELAND.
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 110, above reported, read first and second times, and referred to the Sierra delegation.

Senate bill No. 212, above reported, read first and second times, and referred to the Committee on Education.

Senate bill No. 215, above reported, read first and second times, and referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS

Bills were introduced as follows :

By Mr. Allen, for an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Alley, for an Act to amend an Act entitled an Act changing the time of assessing the value of real and personal property, and collecting the taxes thereon for State and county purposes, in the County of Sierra, approved April tenth, eighteen hundred and sixty-two.

Read first and second times, and ordered to General File.

By Mr. Hartsough, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-eighth, eighteen hundred and sixty.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Assembly bill No. 300, an Act to provide for ascertaining the amount of fees paid to certain officers—read third time, and passed.

SPECIAL ORDER.

At twelve o'clock M., the House took up the special order of the day, Assembly bill No. 246, an Act to authorize the establishment of County and State Medical Societies.

Mr. Buffum moved to consider the bill in Committee of the Whole.

Lost.

Mr. Hittell moved the indefinite postponement of the bill.

Lost.

The bill was considered by sections.

Mr. Buffum moved to amend section five by striking out the words "diploma and diplomas," and inserting "license and licenses."

Mr. Langdon offered the following amendment to the amendment: strike out the word "diploma" wherever it occurs, and insert the word "certificate."

Amendment accepted.

Original amendment lost.

Mr. Buffum renewed his motion to insert "license," instead of "diploma," wherever it occurs.

Adopted.

Mr. Chappell moved to amend section five by adding, after "diploma," "to practice medicine in the county where said society shall be located."

On which, the ayes and noes were demanded, by Messrs. Winchester, Martin, and Snyder, and taken, with the following result :

AYES—Messrs. Beaman, Brown of Amador, Buffum, Chappell, Cherry, Clayton, Fraser, Hunt, Hirst, Jonison, Langdon, Littlefield, Owen, Perley, Redfield, Rhoads, Scott of Alameda, Sepulveda, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Wason, Weston, Wiley, Wilsey, and Wright—27.

NOES—Messrs. Boulware, Brown of Tulare, Hartsough, Ludlow, Martin, Pratt, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Watson, Winchester, and Wood—13.

No quorum having voted, the roll was again called, and the amendment adopted, by the following vote:

AYES—Messrs. Badlam, Beaman, Bowman, Brown of Amador, Buffum, Chappell, Cherry, Clayton, Devoe, Dolson, Dutton, Fraser, Hittell, Hoag, Hunt, Hirst, Jenison, Langdon, Littlefield, McColliam, Mebius, Owen, Parker, Perley, Perrin, Redfield, Rhoads, Scott of Alameda, Sumner, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Weston, Wiley, Wilsey, Whallon, and Wright—39

NOES—Messrs. Boulware, Brown of Tulare, Ludlow, Martin, Pratt, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Watson, Winchester, and Wood—12

Mr. Walker of Alameda moved to amend, by adding "or counties" after the word "county."

Adopted.

Mr. Van Schaick moved to amend section six, by striking out all after the word "education," in line third, to and including the word "surgery," in line four.

Mr. Watson moved to amend the amendment, by striking out in third line of section sixth, these words: "has a good English education," and "at least three years."

Lost.

Mr. Chappell offered the following substitute: section six, line one, after "person" insert "except by unanimous consent of all its members."

Ruled out of order.

The amendment offered by Mr. Van Schaick was adopted.

Mr. Langdon moved to amend as follows: Strike out all after the word "for," in first line, to the word "produce," in fourth line, and insert "membership, unless he."

Lost.

Mr. Winchester offered the following amendment: In third line, section sixth, after the word "education," insert "can speak the American language."

Mr. Hubbard offered the following substitute for section sixth:

"Section 6. No qualification shall be deemed necessary to entitle a candidate to examination except he shall be twenty-one years of age and of good moral character."

Lost.

Mr. Snyder offered the following:

"No person shall receive a license or be admitted to membership of any of said societies, unless he shall have arrived at the age of twenty-one years, and can satisfy the Board that he is qualified to practice medicine."

Lost.

Mr. Martin moved to strike out section six.

Lost.

Mr. Winchester's amendment was lost.

Mr. Cherry offered the following: Strike out the first line to and including the word "for," and insert "no person shall be entitled to receive."

Lost.

Mr. McColliam moved to strike out, in third line, the words "has at least a good education."

Lost

Mr. Buffum moved to amend section seven, by striking out "diploma," and insert "license," and strike out "twenty" and insert "five."

Adopted.

Mr. Weston moved to strike out the brackets around the word "in" in section ten.

Adopted.

Mr. Martin moved to strike out section fourteen.

Mr. Wright moved to amend the motion by striking out all after the word "societies," in third line.

On motion of Mr. Wright, the ayes and noes were demanded, by Messrs. Martin, Buffum, and Weston, and the House agreed to strike out, by the following vote :

AYES—Messrs. Brown of Amador, Castro, Cherry, Clayton, Devoe, Dickinson, Dow, Gray, Hartsough, Hittell, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Martin, McColliam, Owen, Parker, Perley, Perrin, Pratt, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Watson, Winchester, and Wright—36.

NOES—Messrs. Allen, Beaman, Boulware, Buffum, Chappell, Dodson, Dutton, Hubbard, Jenison, Mebius, Rhoads, Sumner, Teare, Wason, and Wood—15.

Mr. Martin moved to further amend section fourteen as follows: Amend section fourteen, first and second lines, by striking out the words "regular Physician and Surgeon," and inserting the word "person."

Lost.

Mr. Snyder moved to strike out "regular" before "Physician," in first line of section fourteen.

On which, Messrs. Martin, Snyder, and Devoe, demanded the ayes and noes, and the House agreed, by the following vote :

AYES—Messrs. Badlam, Bowman, Brown of Amador, Brown of Tulare, Castro, Cherry, Clayton, Devoe, Fraser, Gray, Hartsough, Hittell, Johnson, Kendrick, Langdon, Littlefield, Martin, McColliam, Owen, Perley, Perrin, Personette, Pratt, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Van Leuven, Van Schaick, Walker of Fresno, Watson, and Wright—34.

NOES—Messrs. Allen, Beaman, Boulware, Buffum, Chappell, Dickinson, Dodson, Dow, Dutton, Hubbard, Jenison, Mebius, Rhoads, Sumner, Walker of Alameda, Wason, Weston, Wiley, and Winchester—19.

Mr. Hubbard moved to strike out sections fourteen and fifteen.

Adopted.

On motion of Mr. Badlam, the further reading of the bill was dispensed with.

Mr. Buffum moved to indefinitely postpone the bill.

The House so ordered.

On motion of Mr. Wiley, Senate bill No. 116, an Act amendatory of and supplementary to an Act entitled an Act to provide for the improvement and protection of the wharves, docks, and water front in the City and County of San Francisco, approved April twenty-fourth, eighteen hundred and sixty-three, was taken from file, and ordered first on file for to-morrow.

REPORT.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 129, an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada ;

Also, Assembly bill No. 97, an Act to repeal an Act entitled an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin ;

Also, Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River ;

Also, Assembly bill No. 263, an Act to amend an Act entitled an Act to define the Senatorial Districts of this State, and to apportion the representation thereof, approved May tenth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 114, an Act concerning the office of County Clerk of the City and County of San Francisco ;

Also, Assembly bill No. 229, an Act to prevent the destruction of timber on the Public Lands in this State ;

Also, Assembly bill No. 265, an Act to fix the compensation of the Board of Supervisors of Fresno County ;

Also, Assembly bill No. 133, an Act to amend an Act entitled an Act to amend an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 305, an Act making appropriations for deficiencies in the appropriations for the fifteenth session of the Legislature ;

Also, Assembly bill No. 262, an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State ;

And this day presented the same to the Governor for his approval.

Also, have examined, and found correctly enrolled, Assembly concurrent resolution No. 29, granting A. J. Baber, Assessor elect of Placer-ville Township, El Dorado County, leave of absence.

REDFIELD, Chairman.

At four o'clock and forty-five minutes P. M., on motion of Mr. Martin, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, March 2d, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Clark was granted two days leave of absence.

PETITIONS.

Mr Green presented a petition of Esther Coy and J. L. Snow, for a change of the name of Charles Erastus Coy to Charles Lyman Snow.

Mr. Green had leave to introduce a bill for an Act to change the name of Charles Erastus Coy to Charles Lyman Snow.

Read first and second times, and placed on file.

Mr. Badlam presented five petitions from citizens of Sacramento County, against the increase of salaries of county officers.

Read, and placed on file.

Mr. Rhoads presented a petition from citizens of Lee Township, against increase of salaries of county officers.

Read, and placed on file.

Mr. Buffum presented a petition of citizens of California, asking for passage of a law to allow the sale of any partner's interest in mining claims, without the expense of incorporation.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 189, an Act to amend the Act entitled an Act in relation to liens of mechanics and others ;

Also, Assembly bill No 247, an Act to authorize the Executors of the last will and testament of Elias S. Cooper, deceased, to sell and convey real estate ;

Also, Assembly bill No. 271, an Act to provide for the collection and publication of agricultural and other statistics of the State ;

Also, Assembly bill No. 274, an Act to regulate the fees and fix the salaries of certain officers in the County of Santa Clara ;

Also, Assembly bill No. 286, an Act to authorize the Guardian of certain minor children to sell and convey real estate ;

Also, Assembly bill No. 287, an Act to amend the Act entitled an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three ;

Also, Assembly bill No 328, an Act to amend an Act entitled an Act to incorporate the Town of Eureka, Humboldt County, approved April ninth, eighteen hundred and fifty-nine ;

Also, Assembly bill No. 329, an Act relating to the establishment of the eastern boundary of the State of California.

DYER, Chairman.

Mr. Van Schaick, Chairman of the Committee on State Library, made the following report :

MR. SPEAKER:—The Committee on State Library, to whom was referred Assembly bill No. 327, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one, have had the same under consideration, report it back, and recommend its passage.

VAN SCHAICK, Chairman.

• Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

MR. SPEAKER:—The Committee on Military Affairs, to whom was referred Assembly concurrent resolution No. 33, have had the same under consideration, beg leave to report the same back, and recommend its passage.

WOOD, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 1st, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 306, an Act to authorize the Board of Supervisors of Placer County to levy a special tax for county purposes ;

Also, Assembly bill No. 177, an Act to amend an Act entitled an Act to authorize and require the Board of Supervisors of the Counties of Napa and Lake, respectively, to levy a special tax for the purpose of improving and repairing the public highway connecting Napa City and Lakeport ;

Also, Assembly bill No. 198, an Act to amend an Act entitled an Act to prohibit the carrying of concealed weapons, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 185, an Act to amend an Act entitled an Act concerning the office of County Clerk, Sheriff, and County Recorder of the City and County of San Francisco, approved March seventh, eighteen hundred and fifty-nine ;

Also, Assembly bill No. 183, an Act in relation to the office of the County Superintendent of Common Schools of the County of San Joaquin ;

Also, Assembly bill No. 173, an Act in regard to holding terms of the County Court in certain counties of this State.

FRED'K F. LOW,
Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
March 1st, 1864. }

Mr. SPEAKER :—The Senate, on the twenty-fourth ultimo, passed Senate bill No. 33, an Act concerning corporations formed for canal and ditch purposes ;

Also, same day, passed Senate bill No. 119, an Act to amend an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one ;

Also, same day, passed Senate bill No. 151, an Act supplementary to an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty ;

Also, same day, passed Senate bill No. 214, an Act to provide for the payment of a judgment recovered in favor of John Dunn against the City of San Francisco ;

Also, same day, passed Senate bill No. 232, an Act to extend the time to construct a toll bridge across Feather River near Oroville, in Butte County ;

Also, this day, passed by a constitutional majority over the veto of the Governor, Assembly bill No. 107, an Act to authorize P. K. Austin and his associates to construct and maintain a turnpike road from the Town of San Rafael to Point San Quentin ;

Also, this day, passed by a constitutional majority over the veto of the Governor, Assembly bill No. 130, an Act to grant the right to construct a turnpike road between the Town of Pine Grove and a point on the road leading up the Middle Fork of Jackson Creek, one and three fourths miles above the Town of Jackson, Amador County ;

Also, this day, passed by a constitutional majority over the veto of the Governor, Assembly bill No. 148, an Act to authorize the Administrator of the estate of Maria Ygnacia Amador de Alvarado, deceased, to sell real estate ;

Also, this day, refused to concur in Assembly amendment to Senate bill No. 128, an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, and ask the Assembly to recede from said amendment.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE

Senate bill No. 33, above reported, read first and second times.

Mr. Martin moved to refer the bill to the Committee on Mines and Mining Interests.

Mr. Teare moved to amend by referring to the Committee on Corporations.

Mr. Walker of Alameda moved to refer to the committees named, jointly.

Mr. Martin accepted the proposition.

Mr. Martin called for the reading of the bill.

Mr. Winchester moved to dispense with the reading.

Whereupon the ayes and noes were demanded, by Messrs. Martin, Teare, and Scott of Siskiyou, and taken, with the following result :

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Amador, Buffum, Chappell, Cherry, Clayton, Devoe, Dickinson, Dutton, Erkson, Gray, Hartsough, Hill, Hittell, Hoag, Hunt, Jenison, Johnson, Kendrick, Langdon, Ludlow, Lux, Mebius, Owen, Parker, Perley, Perrin, Scott of Alameda, Smith of Sonoma, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Wilcox, Wilsey, Winchester, and Wright—42.

NOES—Messrs. Alley, Campbell of El Dorado, Dow, Fraser, Green, Hirst, Littlefield, Martin, McColliam, Personette, Pratt, Rhoads, Rule, Scott of Siskiyou, Snyder, Sumner, Weston, and Whallon—18.

Mr. Owen moved the previous question.

On the motion to refer to the two named committees, the ayes and noes were demanded, by Messrs. Martin, Snyder, and Beaman, and the motion was lost, by the following vote :

AYES—Messrs. Alley, Badlam, Beaman, Brooks, Buffum, Campbell of El Dorado, Clayton, Dickinson, Dow, Gray, Green, Hoag, Hirst, Kendrick, Littlefield, Martin, McColliam, Parker, Personette, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Walker of Alameda, Watson, Weston, Winchester, and Whallon—28.

NOES—Messrs. Allen, Bowman, Boulware, Brown of Amador, Chappell, Cherry, Devoe, Dodson, Dutton, Erkson, Hartsough, Hittell, Hubbard, Hunt, Jenison, Langdon, Ludlow, Lux, Owen, Perley, Perrin, Pratt, Redfield, Rhoads, Scott of Alameda, Snyder, Sumner, Teare, Van Leuven, Van Schaick, Wason, Wilcox, Wiley, Wilsey, and Wright—35.

The House adopted the motion of Mr. Teare by the following vote, the ayes and noes being demanded by Messrs. Martin, Scott of Siskiyou, and Ludlow :

AYES—Messrs. Allen, Badlam, Boulware, Brown of Amador, Buffum, Chappell, Clayton, Devoe, Dickinson, Dodson, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hartsough, Hittell, Hoag, Hubbard, Hunt, Jenison, Johnson, Kendrick, Langdon, Ludlow, Lux, Perley, Perrin, Personette, Rhoads, Scott of Alameda, Smith of Sonoma, Teare, Van Leuven, Van Schaick, Wason, Watson, Wilcox, Wiley, Wilsey, and Wright—42.

NOES—Messrs. Alley, Beaman, Campbell of El Dorado, Cherry, Dow, Hirst, Littlefield, Martin, McColliam, Owen, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Walker of Alameda, Walker of Fresno, Weston, Winchester, and Whallon—20.

Senate bill No. 119, above reported, read first and second times, and referred to the Committee on Public Morals.

Senate bill No. 128, above reported, with non-concurrence of Senate in the amendment of the Assembly thereto

Mr. Whallon moved the previous question.

Sustained.

On the question, "Shall the House recede from its amendment to the bill?" the ayes and noes were demanded, by Messrs. Scott of Alameda, Snyder, and Watson, and the House refused to recede, by the following vote :

AYES—Messrs. Bowman, Brown of Amador, Clayton, Dodson, Dow, Dutton, Gray, Green, Langdon, Walker of Alameda, Winchester, and Wright—12.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brooks, Brown of Tulare, Buffum, Campbell of El Dorado, Cherry, Clark, Devoe, Dickinson, Erkson, Fraser, Hill, Hittell, Hoag, Hubbard, Hunt, Hirst, Johnson, Kendrick, Ludlow, Martin, Owen, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Tukey, Van Schaick, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, and Whallon—50.

Mr. Winchester moved the appointment of a Committee of Free Conference on the disagreeing vote on the bill.

The House refused the committee

Senate bill No. 154, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 214, above reported, read first and second times, and ordered to General File.

Senate bill No. 232, above reported, read first and second times, and referred to the Butte delegation.

SPECIAL ORDER.

The House took up the special order of the day, a motion to reconsider the vote whereby the House refused to pass Senate bill No. 155, an Act relative to the office of County Treasurer of the County of Sacramento.

Mr. Tukey moved to indefinitely postpone the motion to reconsider.

The House agreed.

The second special order of the day, the general appropriation bill, was postponed, on motion of Mr. Dodson.

The rules being suspended, on motion of Mr. Wiley, the House took from the file Senate bill No. 116, an Act amendatory of and supplementary to an Act entitled an Act to provide for the improvement and protection of the wharves, docks, and water front in the City and County of San Francisco, approved April twenty-fourth, eighteen hundred and sixty-three.

Mr. Scott of Alameda offered the following substitute for section twelve :

“Section 12. Section seventeen of said Act is hereby amended so as to read as follows :

“The said Wharf Commissioners may appoint one of their number who, under the direction of the Board, shall transact all the out door business of said Board, and for such service he shall receive the sum of one hundred and fifty dollars per month, additional to his present salary as Commissioner. The salary of Secretary shall be ——— dollars per month. The said salaries shall be payable monthly out of any moneys collected under this Act.”

Mr. Scott moved to amend the substitute, by prefixing thereto :

“Said Commissioners shall each receive as compensation for their services one hundred dollars per month.”

Mr. Chappell offered the following substitute for the substitute :

"*Provided*, That the provisions of this section shall not be so construed as to interfere with the salaries of the ~~present~~ incumbents in office."

Withdrawn.

On adopting the substitute offered by Mr. Scott, the ayes and noes were demanded, by Messrs. Scott of Alameda, Walker of Fresno, and Badlam, and it was lost by the following vote:

AYES—Messrs. Brown of Amador, Gray, Hartsough, McColliam, Rhoads, and Scott of Alameda—7.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Cherry, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Erkson, Green, Hill, Hittell, Hunt, Jenison, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Lux, Martin, Mebius, Parker, Perley, Perrin, Pratt, Redfield, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wood—56.

Mr. Wiley offered the following additional section:

"Section 13. Nothing in this Act shall affect the duration of the term of office of the present Board of State Harbor Commissioners, but the present incumbents shall hold their said offices for the term or terms for which they have been elected."

Adopted.

Mr. Rule offered the following: Amend section twelve, line three, by striking out the words "and fifty."

Lost.

Mr. Hittell moved to amend section four, line five, by inserting "from the date of the leases, respectively," after the word "years."

Lost.

The rules were suspended, bill read third time, and passed.

On motion of Mr. Wiley, the bill was ordered transmitted to the Senate forthwith.

SECOND SPECIAL ORDER.

The House then considered in Committee of the Whole, (Mr. Dodson in the Chair,) the second special order of the day, Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six.

IN ASSEMBLY.

The Committee rose, reported progress, and asked leave to sit again.

Mr. Hittell moved to place the bill at top of file for to-morrow.

Mr. Tukey moved to amend by making the bill the special order for Tuesday next, March eighth, at twelve o'clock M.

Mr. Tukey moved to further amend by making it the special order for Thursday, at one o'clock P. M.

Adopted.

At four o'clock and ten minutes p. m., on motion of Mr. Littlefield, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 3d, 1864. }

House met pursuant to adjournment.
Speaker in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

PETITIONS.

Mr. Campbell of San Francisco presented a petition of members of the bar in the City of San Francisco, relative to Court Commissioners.

Referred to the Judiciary Committee.

Mr. Badlam presented two petitions from citizens of Sacramento County, against an increase in taxation.

Mr. Gray presented an order of Excelsior Division Number Six, Sons of Temperance, sanctioning and approving the action of the Senate in regard to the Sunday Law.

Referred to the Committee on Public Morals.

REPORTS.

Mr. Hill made the following report.

MR. SPEAKER:—The undersigned, to whom was referred Assembly bill No. 226, reports the same back and offers a substitute for the same.

HILL.

The substitute above reported was read first and second times, and referred to the Judiciary Committee.

Mr. Campbell of San Francisco made a report from the Judiciary Committee, recommending the indefinite postponement of the various proposed amendments to the Constitution.

Ordered printed

The rules were suspended, and Mr. Campbell introduced a bill for an Act to provide for the support of the privilege of free suffrage during the continuance of the war.

Read first and second times, and referred to the Judiciary Committee.

Mr. Hittell presented a minority report from the Judiciary Committee, relative to the proposed amendments to the Constitution.

Ordered printed.

[For majority and minority reports, see Appendix.]

Mr. Sumner made the following report:

Mr. SPEAKER:—The Butte delegation, to whom was referred Senate bill No. 232, have considered the same, and report it back, and recommend its passage.

SUMNER,
BUFFUM.

The rules were suspended, and the bill above reported read third time, and passed.

Mr. Weston made the following report:

Mr. SPEAKER:—The Sierra delegation, to whom was referred Senate bill No. 110, an Act authorizing the Board of Supervisors of Sierra County to provide for the construction of certain wagon roads in Sierra County, after attentive consideration of the same, report it back to the House with amendments, and recommend its passage, after being so amended.

WESTON, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA. EXECUTIVE DEPARTMENT, }
Sacramento, March 2d, 1864. }

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly bill No. 129, an Act to provide for the location, construction, and maintenance of public roads in the County of Nevada;

Also, Assembly bill No. 263, an Act to amend an Act entitled an Act to define the Senatorial and Assembly Districts of this State, and to apportion the representation thereof, approved May eighteenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 265, an Act to fix the compensation of the Board of Supervisors of Fresno County;

Also, Assembly bill No. 262, an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State;

Also, Assembly bill No. 229, an Act to prevent the destruction of timber on the Public Lands in this State;

Also, Assembly bill No. 114, an Act concerning the office of County Clerk of the City and County of San Francisco;

Also, Assembly bill No. 97, an Act to repeal an Act entitled an Act regulating fees of office of Justices of the Peace and Constables in the County of San Joaquin;

Also, Assembly bill No. 303, an Act making appropriations for deficiencies in the appropriations for the fifteenth session of the Legislature;

Also, Assembly bill No. 133, an Act to amend an Act entitled an Act to amend an Act entitled an Act relating to the levying of taxes, approved May fifteenth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three.

FRED'K F. LOW,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Owen offered the following resolution :

Resolved, That a Committee of Free Conference be appointed by the Assembly, to confer with a like committee from the Senate, on Senate bill No. 128, relative to the office of Bailiff of the Supreme Court.

Adopted.

On motion of Mr. Wiley, Assembly bill No. 259, relative to salaries of officers, was recommitted to the Committee on Ways and Means.

Mr. Boulware offered a resolution, changing the hour of daily meeting of the Assembly.

Laid over one day.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
March 2d, 1864. }

Mr. SPEAKER :—The Senate, on the twenty-sixth instant, passed Senate bill No. 118, an Act supplementary to an Act to audit and allow the claim of T. J. A. Chambers, approved April twenty-fifth, eighteen hundred and sixty-two ;

Also, on the twenty-fifth instant, passed Senate bill No. 196, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three ;

Also, on the twenty-sixth instant, passed Senate bill No. 240, an Act to extend the provisions of certain Acts to Township Number Four, in Alameda County ;

Also, same day, passed Senate bill No. 245, an Act to authorize the City and County of San Francisco to convey certain real estate to the State of California ;

Also, this day, passed Assembly bill No. 297, an Act to fix the salary of the County Superintendent of Public Schools in Solano County ;

Also, this day, concurred in Assembly amendment to Senate substitute for Assembly bill No. 132, an Act more effectually to limit the time for the presentation and allowance of claims against counties.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
March 3d, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on yesterday, concurred in Assembly amendment to Senate bill No. 116, an Act amendatory of and supplementary to an Act entitled an Act to provide for the improvement of the wharves, docks, and water front of the City and County of San Francisco, approved April twenty-fourth, eighteen hundred and sixty-three ;

Also, same day, appointed Messrs. Wright, Heacock, and Porter, as a Committee of Conference on Senate bill No. 128, an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court,

approved April sixth, eighteen hundred and sixty-three, and ask the appointment of a committee by the Assembly on the same subject;

Also, same day, amended and passed Assembly bill No. 216, an Act supplementary to and amendatory of an Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools, and ask the concurrence of the Assembly in said amendments.

CHAS WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 196, above reported read first and second times, and referred to the San Francisco delegation.

Senate bill No. 245, above reported, read first and second times, and ordered to General File.

Senate bill No. 240, above reported, read first and second times, and referred to the Amador delegation.

Senate bill No. 118, above reported, read first and second times. and referred to the Committee on Claims.

The Assembly concurred in Senate amendment to Assembly bill No. 216, above reported, down to the following: amend section fourteen, by adding, after the words "Public School," the words "without special permission from the School Trustees."

Mr. Devoe moved the previous question.

Sustained.

On concurring in the amendment, the ayes and noes were demanded, by Messrs Scott of Alameda, Wright, and Gray, and the House refused to concur, by the following vote:

AYES—Messrs. Allen, Beaman, Brooks, Buffum, Dutton, Dyer, Erkson, Gray, Green, Hittell, Hubbard, Jenison, Johnson, Littlefield, Lux, Martin, McColliam, Owen, Parker, Perley, Pratt, Redfield, Rhoads, Smith of Nevada, Snyder, Sumner, Van Schaick, Wason, Watson, Winchester, and Wood—31.

NOES—Messrs. Alley, Bowman, Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Devoe, Dickinson, Dow, Fraser, Hartsough, Hoag, Hunt, Hirst, Kendrick, Langdon, Ludlow, Perrin, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wright—37.

On concurring in Senate amendment to strike out in section fourteen, after the words "Public Schools," in line four, (printed bill,) all the words down to and including the word "therein," in line nine, the ayes and noes were demanded, by Messrs. Wright, Perley, and Gray, and the House concurred, by the following vote:

AYES—Messrs. Allen, Alley, Beaman, Brooks, Buffum, Campbell of San Francisco, Chappell, Clayton, Devoe, Dutton, Dyer, Erkson, Gray, Green, Hittell, Hirst, Jenison, Johnson, Littlefield, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rhoads, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wiley, Wilsey, Winchester, and Wood—44.

NOES—Messrs. Badlam, Bowman, Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Clark, Dickinson, Dow, Fraser, Hart-sough, Hoag, Hunt, Kendrick, Langdon, Ludlow, Sepulveda, Smith of Sonoma, Van Leuven, Walker of Fresno, Wilcox, Whallon, and Wright—23.

Mr. Speaker announced the appointment of the following Committee of Free Conference on Senate bill No. 128: Messrs. Owen, Wright, and Martin.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Sepulveda, for an Act to authorize the transfer of certain funds from the Current Expense Fund to the Jail Fund, in the County of Los Angeles.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Winchester, for an Act amendatory of and supplementary to an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Owen, for an Act supplemental to an Act entitled an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State, approved March second, eighteen hundred and sixty-four.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Mr. Wiley, under a suspension of the rules, introduced a bill for an Act for the better regulation and government of the State Prison.

Mr. Weston, under a suspension of the rules, introduced a bill for an Act to authorize unincorporated mining companies to sell, for default in payment of assessments, the interests of delinquent partners, or so much as is sufficient to pay such assessments.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 245, an Act to grant to certain parties therein named the right to construct and maintain a turn-pike or toll road from the Town of Sonora, in Tuolumne County, to the State line in Mono County;

Also, Assembly bill No. 105, an Act granting the right of way over certain lands in this State, in the Counties of Lake and Sonoma, for the construction of a wagon road;

Also, Assembly bill No. 53, an Act making appropriation for a deficiency in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three;

Also, Assembly bill No. 295, an Act to provide for and define the manner of collecting a tax to build a School-house in Court-house District, Sonoma County;

Also, Assembly bill No. 252, an Act to define the legal distances from the county seat of Lake County to the Capital, Lunatic Asylum, and State Prison;

Also, Assembly bill No. 230, an Act to repeal an Act entitled an Act

to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers therein ;

Also, Assembly bill No. 208, an Act to appropriate money to pay the claim of Benjamin P. Avery ;

Also, Assembly bill No. 145, an Act concerning roads and highways ;

Also, Assembly bill No. 297, an Act to fix the salary of the County Superintendent of Public Schools in Solano County ;

Also, Assembly bill No. 326, an Act to provide for the transfer of certain funds belonging to the City and County of San Francisco ;

Also, Assembly bill No. 132, an Act more effectually to limit the presentation and allowance of claims against counties ;

And on this, the third day of March, eighteen hundred and sixty-four, presented the same to the Governor for his approval.

REDFIELD, Chairman.

FIRST SPECIAL ORDER.

The first special order of the day, Assembly bill No. 103, an Act to prohibit gaming, was so continued until Tuesday, March eighth, at twelve o'clock M.

SECOND SPECIAL ORDER.

Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six.

Mr. Martin moved to postpone one hour and take up the General File. On which the ayes and noes were demanded, by Messrs. Wilcox, Allen, and Martin, and the House agreed, by the following vote :

AYES—Messrs. Badlam, Boulware, Brooks, Buffum, Campbell of El Dorado, Cherry, Clayton, Devoc, Dow, Dutton, Erksan, Green, Hartsough, Hittell, Jenison, Johnson, Ludlow, Martin, McColliam, Owen, Parker, Perley, Redfield, Rhoads, Smith of Nevada, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, and Wood—33.

NOES—Messrs. Allen, Alley, Brown of Tulare, Campbell of San Francisco, Chappell, Clark, Dodson, Fraser, Hoag, Hunt, Littlefield, Lux, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Walker of Fresno, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Wright—23.

Mr. Scott of Alameda gave notice of a motion to reconsider the vote whereby the House refused to concur in Senate amendment to section fourteen of Assembly bill No. 216

The Speaker decided the notice and motion out of order.

Mr. Scott appealed from the decision of the Chair.

The appeal was withdrawn, after discussion, and the ruling of the Speaker reversed, and the notice received.

GENERAL FILE.

Senate bill No. 139, an Act to re-district the City and County of San Francisco.

SECOND SPECIAL ORDER.

The second special order of the day, Assembly bill No. 176, the general appropriation bill, was continued until to-morrow, at one o'clock.

Mr. Walker of Alameda offered the following resolution :

Resolved, That Senate bill No. 139 be recommitted to the San Francisco delegation, with instructions so to amend the bill as to authorize the Board of Supervisors of the City and County of San Francisco to redistrict said city and county in such manner as said Board may deem expedient.

Mr. Whallon moved to postpone the further consideration of the bill until Wednesday, March ninth.

On which, the ayes and noes were demanded, by Messrs. Cherry, McColliam, and Scott of Alameda, and the House refused to postpone by the following vote :

AYES—Messrs. Dickinson, Kendrick, Walker of Fresno, and Whallon—4.

NOES—Messrs. Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Erkson, Fraser, Gray, Green, Hill, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Parker, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuren, Van Schaick, Walker of Alameda, Wason, Weston, Wilcox, Wiley, Wilsey, Wood, and Wright—61.

Mr. Walker of Alameda offered the following amendment in lieu of the one previously offered by him :

"This Act shall not take effect until the Board of Supervisors shall, by order, approve the same."

Mr. Wright offered the following substitute: Refer to the Committee on Elections, with instructions to create a new district out of the Ninth and Tenth, to be called the Thirteenth District.

Mr. Devoe moved the previous question.

Lost.

After further discussion, Mr. Weston moved the previous question.

Lost.

On motion of Mr. Sears, the rules were suspended, and Senate bill No. 303, an Act to authorize the Board of Supervisors of Nevada County to levy a special tax for county purposes, was taken from Senate messages, read first and second times, rules again suspended, read third time, and passed.

The House resumed consideration of the bill previously under discussion.

On adopting the motion of Mr. Wright, the ayes and noes were demanded, by Messrs. Wright, Lux, and Wiley, and the same was rejected, by the following vote :

AYES—Messrs. Alley, Buffum, Chappell, Dodson, Dyer, Fraser, Hill, Hunt, Hirst, Jenison, Langdon, Ludlow, Lux, Rhoads, Scott of Siskiyou, Sumner, Teare, Tukey, Walker of Alameda, Wason, Wiley, Wilsey, and Wright—23.

NOES—Messrs. Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Cherry, Clark, Clayton, Devoe, Dickinson, Dow, Dutton, Erkson, Gray, Green, Hittell, Hoag, Hubbard, Johnson, Kendrick, Littlefield, Martin, McCollum, Mebius, Parker, Perrin, Personette, Pratt, Redfield, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Van Schaick, Walker of Fresno, Watson, Wilcox, Winchester, Whallon, and Wood—44.

On adopting the amendment offered by Mr. Walker of Alameda, the ayes and noes were again demanded, by Messrs. Boulware, Cherry, and Beaman, and taken, with the following result:

AYES—Messrs. Alley, Boulware, Buffum, Chappell, Dickinson, Dodson, Dyer, Fraser, Hill, Hunt, Hirst, Lux, Rhoads, Scott of Siskiyou, Tukey, Walker of Alameda, Walker of Fresno, Wason, Wilcox, Wiley, Wilsey, and Wright—22.

NOES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Brown of Tulare, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Erkson, Gray, Green, Hittell, Hoag, Hubbard, Jenison, Johnson, Kendrick, Langdon, Littlefield, Martin, McCollum, Mebius, Parker, Perrin, Personette, Pratt, Redfield, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Van Schaick, Weston, Winchester, Whallon, and Wood—41.

Mr. Teare offered the following amendment, as an additional section to the bill:

“Section 6. Before this Act shall become a law, it shall be submitted to a vote of the qualified voters of San Francisco at the next Presidential election. Those voting in favor of the bill shall deposit a written or printed ticket, on which shall be written ‘Re-districting Bill—Yes;’ those voting in the negative shall deposit a written or printed ticket, ‘Re-districting Bill—No.’ If a majority of the votes cast are in favor of re-districting, then it shall become a law; if a majority of the votes cast are against said law, then it shall be null and void.”

Lost.

Mr. Weston moved the previous question.

Sustained.

On ordering the bill to third reading, the ayes and noes were demanded, by Messrs. Weston, Wright, and Wilcox and taken, with the following result:

AYES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Brown of Tulare, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Erkson, Gray, Green, Hittell, Hoag, Hubbard, Johnson, Kendrick, Littlefield, Martin, McCollum, Mebius, Parker, Perrin, Personette, Pratt, Redfield, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Van Schaick, Weston, Wilcox, Winchester, Whallon, and Wood—41.

NOES—Messrs. Alley, Boulware, Buffum, Chappell, Dickinson, Dodson,

Dyer, Fraser, Hill, Hunt, Hirst, Jenison, Langdon, Ludlow, Lux, Rhoads, Scott of Siskiyou, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wiley, Wilsey, and Wright—26.

Mr. Scott of Alameda moved to suspend the rules and read the bill a third time.

On which, the ayes and noes were demanded, by Messrs. Dodson, Lux, and Wright, and the House refused to suspend, by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Erkson, Gray, Green, Hittell, Hoag, Hubbard, Johnson, Kendrick, Martin, McColliam, Mebius, Parker, Perrin, Pratt, Redfield, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Wilcox, Winchester, Whallon, Wood, and Wright—38.

NOES—Messrs. Alley, Boulware, Brown of Tulare, Buffum, Chappell, Dickinson, Dodson, Dyer, Fraser, Hill, Hunt, Hirst, Jenison, Langdon, Littlefield, Lux, Personette, Rhoads, Scott of Siskiyou, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Wiley, and Wilsey—28.

On motion of Mr. Whallon, at six o'clock and thirty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 4th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Rhoads presented a petition from citizens of Sacramento County.

The rules were suspended, and Mr. Rhoads introduced a bill for an Act for the better protection of stock along the lines of railroads in certain counties in this State.

Read first and second times, and referred to the Judiciary Committee.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 76, an Act to establish and maintain Public Pounds, for the better securing of estrays and other stock, in the County of San Joaquin;

Also, Assembly bill No. 334, an Act concerning roads and highways in Santa Clara County;

Also, Assembly bill No. 233, an Act amendatory of and supplementary

to an Act passed March twenty-third, eighteen hundred and fifty, to regulate elections;

Also, Assembly bill No. 353, an Act supplementary to an Act entitled an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State, approved March second, eighteen hundred and sixty-four.

Also, Assembly bill No. 308, an Act to create the County of Lassen, to define its boundaries, and provide for its organization.

DYER, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report:

MR. SPEAKER:—Your Committee on Military Affairs, to whom was referred Assembly bills Nos 58 and 112. Acts to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three, have had the same under consideration, and report the same back with a substitute, and recommend the passage of the substitute.

WOOD, Chairman.

Mr. Langdon, from the Committee on Public Expenditures and Accounts, made the following report:

MR. SPEAKER:—Your Committee on Public Expenditures and Accounts, having examined and found correct the following accounts, beg leave to report the same, and recommend the adoption of the accompanying resolution:

| To whom due. | Amount. |
|-------------------------------------|---------|
| James L. English | \$34 66 |
| James L. English | 20 00 |
| Daniel Hardy | 76 50 |
| Daniel Hardy | 45 00 |
| W. F. Knox | 70 00 |
| W. F. Knox | 40 00 |
| Daily Democratic Press | 228 12 |
| Robert Stuart | 115 83 |
| B. B. Redding | 9 00 |
| Wine, Wool, and Stock Journal | 12 00 |
| A. W. Bishop | 4 00 |
| George I. Lytle | 334 00 |
| J. W. Wilcox | 15 00 |
| C. Rave | 16 50 |
| J. A. Vaughn | 12 00 |
| A. Boujon | 21 00 |
| Joseph Harris | 40 00 |
| Nathaniel Gray | 52 50 |
| J. S. Van Doren | 6 00 |
| A. C. & W. Bidwell | 54 00 |
| James Anthony & Co. | 362 08 |

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly as follows :

In favor of James L. English, for fifty-four dollars and sixty-six cents ;
 In favor of Daniel Hardy, for one hundred and twenty-one dollars and fifty-cents ;

In favor of the Daily Democratic Press, for two hundred and twenty-eight dollars and twelve cents ;

In favor of Robert Stuart, for one hundred and fifteen dollars and eighty-three cents ;

In favor of B. B. Redding, for nine dollars ;

In favor of W. F. Knox, for one hundred and ten dollars ;

In favor of the Wine, Wool, and Stock Journal, for twelve dollars ;

In favor of A. W. Bishop, for four dollars ;

In favor of George I. Lytle, for three hundred and thirty-four dollars ;

In favor of J. W. Wilcox, for fifteen dollars ;

In favor of C. Rave, for sixteen dollars and fifty cents ;

In favor of J. A. Vaughn, for twelve dollars ;

In favor of A. Boujon, for twenty-one dollars ;

In favor of Joseph Harris, for forty dollars ;

In favor of Nathaniel Gray, for fifty-two dollars and fifty cents ;

In favor of J. S. Van Doren, for six dollars ;

In favor of A. C. & W. Bidwell, for fifty-four dollars ;

In favor of James Anthony & Co., for three hundred and sixty-two dollars and eight cents ;

LANGDON, for Committee.

Adopted.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report :

MR. SPEAKER :—The Committee on Public Morals, to whom was referred Assembly bill No. 288, an Act amendatory of an Act entitled an Act to regulate marriages, have considered the same, and report it back to the House with a substitute, and recommend the passage of the substitute.

WALKER of Alameda, Chairman.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report :

MR. SPEAKER :—The Committee on Public Morals, to whom was referred Senate bill No. 119, an Act to amend an Act entitled an Act for the better observance of the Sabbath, have considered the same, and report it back to the House with amendments, and recommend its passage as amended.

WALKER of Alameda, Chairman.

Mr. Brown of Amador made the following report :

MR. SPEAKER :—Your special committee, to whom was referred Senate bill No. 240, an Act to extend the provisions of certain Acts to Township Number Four, in Amador County, have had the same under consideration, report it back, and recommend its passage.

BROWN of Amador, for Committee.

MOTIONS AND RESOLUTIONS.

Mr. Scott of Alameda offered the following resolution:

Resolved, That this House meet on Tuesday, Wednesday, and Thursday evening of each week, at the hour of seven and a half o'clock, for the consideration of local bills; and after the consideration of local bills on the file is concluded, the evening sessions may be devoted to the consideration of other bills on the General File, and to the general business of the session.

Laid on the table.

Mr. Hubbard offered a concurrent resolution relative to final adjournment on the twenty-first of March.

Mr. Walker of Alameda moved to lay the resolution on the table.

On which, the ayes and noes were demanded, by Messrs. Whallon, Badlam, and Dyer, and taken, with the following result:

AYES—Messrs. Alley, Bowman, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Devoe, Dow, Dutton, Dyer, Hirst, Langdon, Littlefield, Ludlow, Martin, McColliam, Mebius, Perley, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Watson, Weston, Wiley, Wilsey, Winchester, Wood, and Wright—41.

NOES—Messrs. Allen, Badlam, Beaman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Clayton, Dickinson, Dodson, Erkson, Fraser, Gray, Green, Hartsough, Hittell, Hoag, Hubbard, Hunt, Jenison, Johnson, Kendrick, Lux, Parker, Pratt, Sepulveda, Smith of Sonoma, Snyder, Walker of Fresno, Wason, and Whallon—32.

Mr. Scott of Alameda, in accordance with previous notice, moved to reconsider the vote whereby the House refused to concur in Senate amendment to section fourteen of Assembly bill No. 216.

Mr. Campbell of San Francisco moved the previous question.

Sustained.

The ayes and noes were demanded, by Messrs. Owen, Beaman, and Cherry, and the motion was lost, by the following vote:

AYES—Messrs. Allen, Beaman, Buffum, Chappell, Devoe, Dodson, Dutton, Erkson, Gray, Green, Hittell, Hubbard, Johnson, Langdon, Littlefield, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rhoads, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Schaick, Wason, Watson, Winchester, and Wood—34.

NOES—Messrs. Alley, Badlam, Bowman, Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Cherry, Clark, Dickinson, Dow, Fraser, Hartsough, Hoag, Hirst, Jenison, Kendrick, Ludlow, Mebius, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wright—35.

FIRST SPECIAL ORDER.

On motion of Mr. Rule, the first special order of the day, Assembly bill No. 79, an Act to provide for the completion of the State Capitol, was continued until Wednesday, March ninth, at twelve o'clock M.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 3d, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Senate bill No. 303, an Act to authorize the Board of Supervisors of Nevada County to levy a special tax for county purposes ;

Also, passed Assembly bill No. 328, an Act to amend an Act entitled an Act to incorporate the Town of Eureka, Humboldt County, approved April ninth, eighteen hundred and fifty-nine ;

Also, concurred in Assembly concurrent resolution No. 34, granting L. W. Elliott, District Attorney of Tehama County, leave of absence.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 3d, 1864. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate, on the twenty-seventh ultimo, passed Senate bill No. 226, an Act to provide for collecting wharfage in Napa City ;

Also, same day, passed Senate bill No. 227, an Act to amend an Act for the regulation of the telegraph, and to secure secrecy and fidelity in the transmission of telegraphic messages, passed April, eighteen hundred and sixty-two ;

Also, same day, passed Senate bill No. 244, an Act supplementary to an Act entitled an Act to authorize the Commissioners of the Funded Debt of the City and County of San Francisco to compromise and settle certain claims to real estate, and to convey such real estate pursuant thereto, passed April fourteenth, eighteen hundred and sixty-two ;

Also, same day, passed Senate bill No. 246, an Act to create a Contingent Fund for the County of Tulare ;

Also, same day, passed Senate bill No. 255, an Act to amend an Act entitled an Act to regulate the fees of certain officers in the County of Tuolumne, approved April second, eighteen hundred and fifty-nine ;

Also, same day, passed Senate bill No. 259, an Act to amend an Act entitled an Act concerning the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty ;

Also, same day, passed Senate bill No. 269, an Act to prevent hogs running at large in certain counties of this State ;

Also, same day, passed Senate bill No. 272, an Act to fix the salary of the Superintendent of Public Schools in the County of Sutter ;

Also, this day, adopted Senate concurrent resolution No. 26, concerning paying certain claims arising out of the labors of the Committee of the Deaf, Dumb, and Blind Asylum, and ask the concurrence of the Assembly therein.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 4th, 1864. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate, on yesterday, passed Assembly bill No. 293, an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County

of Mendocino, approved April nineteenth, eighteen hundred and sixty-two ;

Also, same day, amended and passed Assembly bill No. 164, an Act amendatory of and supplemental to an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three, and ask the concurrence of the Assembly in said amendments.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendments to Assembly bill No. 164, above reported.

The House concurred in Senate concurrent resolution No. 26, above reported.

Senate bill No. 226, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

Senate bill No. 227, above reported, read first and second times, and referred to the Committee on Corporations

Senate bill No. 244, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 246, above reported, read first and second times, and referred to Committee on Ways and Means.

Senate bill No. 255, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 269, above reported, read first and second times, and referred to the Committee on Agriculture.

Assembly bill No. 272, above reported, read first and second times, and referred to the Sutter delegation.

The following resolution was offered by Mr. Boulware, according to previous notice :

Resolved, That this House will meet on and after next Monday, for the remaining part of the session, at ten o'clock A. M.

Mr. Hittell offered the following substitute: Amend Rule One, so as to read: "The House shall meet each day of sitting, at ten o'clock A. M., unless the House shall adjourn to meet at some other hour."

The substitute was accepted by the mover of the resolution, and rejected by the House.

Mr. Boulware renewed the notice of proposed change of Rule One of the Standing Rules.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hill, for an Act to authorize Guadalupe Adelaida Limass to sell certain property of her minor children, Francisco J. Limass and Ana A. Limass.

Read first and second times, and referred to the Santa Barbara delegation.

Also, for an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of San Luis Obispo outstanding on the first day of July, in the year eighteen hundred and sixty-three, passed March sixth, eighteen

hundred and sixty-three, approved January nineteenth, eighteen hundred and sixty-four.

Read first and second times, and referred to the Santa Barbara delegation.

Also, for an Act to authorize the Common Council of the City of Marysville, Yuba County, to pay back to the Society of the Sisters of Notre Dame certain money received for taxes.

Read first and second times, and referred to the Yuba delegation.

By Mr. Weston, for an Act concerning partnerships for mining purposes.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hubbard, (with a petition,) for an Act authorizing the Administrator of the estate of Thomas Corrigan, deceased, to sell and convey certain real estate.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Wood, for an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and ordered to General File.

SECOND SPECIAL ORDER.

Assembly bill No. 176, (second special order of the day,) an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six.

Mr. Owen moved to postpone the bill one hour.

On which, Messrs. Whallon, Wright, and Lux, demanded the ayes and noes, and the House refused, by the following vote :

AYES—Messrs. Badlam, Brooks, Brown of Amador, Devoe, Erkson, Hittell, McColliam, Owen, Perley, Scott of Alameda, Scott of Siskiyou, Snyder, Tukey, Van Schaick, Weston, and Wood—16.

NOES—Messrs. Allen, Alley, Boulware, Castro, Chappell, Cherry, Clayton, Dickinson, Dodson, Dow, Dyer, Fraser, Green, Hill, Hubbard, Hunt, Jenison, Johnson, Lux, Parker, Personette, Redfield, Rhoads, Sepulveda, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Walker of Alameda, Walker of Fresno, Wason, Watson, Whallon, and Wright—34.

The House went into Committee of the Whole, (Mr. Dodson in the Chair.)

Pending consideration, the committee rose.

IN ASSEMBLY.

The rules were suspended for the introduction of the following concurrent resolution, offered by Mr. Campbell of San Francisco :

WHEREAS, it has pleased Divine Providence to terminate the earthly career of one of our most eminent citizens, the Reverend Thomas Starr

King, whose very name has been a tower of strength to the great cause of our country, and from whose great ability, learning, and eloquence the people of this State have derived the most enduring benefits; therefore—

Resolved, That in honor of the memory of the deceased divine, orator, and patriot, when we adjourn on Saturday, March fifth, we adjourn to meet on Tuesday, March eighth, and that the flag on the Capitol be displayed at half-mast.

The resolution was unanimously adopted.

The House, in Committee of the Whole, again resumed the consideration of the general appropriation bill.

IN ASSEMBLY.

The Committee rose, reported further progress, and asked leave to sit again.

The bill was made the special order for Tuesday, March eighth, at one o'clock P. M.

On motion of Mr. Hirst, at five o'clock and fourteen minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 5th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved

Leave of absence was granted to Messrs. Perley, Hartsough, and Watson for one day, each, and to Mr. Mebias for two days.

During the reading of the Journal, Mr. Brown of Amador moved to dispense with the further reading thereof.

The House refused to adopt the motion.

Mr. Clark presented a petition of citizens of Plumas County in favor of granting pecuniary aid by the State to William Bradford.

Referred to the Committee on Claims.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 167, an Act to authorize the Board of Supervisors of Butte County to loan certain money;

Also, Assembly bill No. 351, an Act to authorize the transfer of cer-

tain funds from the Current Expense Fund to the Jail Fund, in the County of Los Angeles.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 143, an Act to legalize a certain contract between D. R. Ashley, late State Treasurer, and Wells, Fargo & Company, have had the same under consideration, and report it back, with a recommendation of its indefinite postponement ;

Also, Assembly bill No. 323, an Act to enforce the collection of poll taxes, and report the same back with a substitute, and recommend the passage of the substitute ;

Also, Assembly bill No. 184, an Act to repeal a portion of an Act entitled an Act concerning Courts of justice of this State, and judicial officers, and recommend the indefinite postponement of the same ;

Also, Senate bill No. 103, an Act relating to appeals, with recommendation of its passage ;

Also, Assembly bill No. 61, an Act to amend the election law, and to establish a uniform system of registry throughout the State, with the recommendation that it do not pass ;

Also, Assembly bill No. 115, an Act to provide for the collating, compiling, and digesting, the laws of the State of California, and report the same back with a substitute, and recommend the passage of the substitute ;

Also, Assembly bill No. 333, an Act to provide a Commission to codify the laws of the State of California, and report the bill back with a substitute for the same, and recommend the passage of the substitute ;

Also, Assembly bill No. 347, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-eighth, eighteen hundred and sixty, and report the same back with a substitute, and recommend the passage of the substitute ;

Also, Senate bill No. 48, an Act concerning offices, and report the same back, with recommendation of its indefinite postponement ;

Also, Assembly bill No. 349, an Act to amend an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and amended March eighteenth, eighteen hundred and sixty-three, with recommendation of its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Wright, from the Judiciary Committee, made the following minority report :

MR. SPEAKER :—The undersigned, a minority of the Judiciary Committee, to whom were referred Assembly bills Nos. 115 and 333, to provide for a compilation of the laws of the State, beg leave to recommend their indefinite postponement. The substitute prepared by the majority of the committee proposes to pay about twelve thousand dollars for the editorial labor of compiling the laws, then pay for printing four hundred and eighty copies, which would cost about fifteen thousand dollars ; and after the compilation shall have been submitted to the Legislature, and adopted or revised by that body, it must be printed again, at

a cost of twenty thousand dollars or more. The total cost of the compilation would thus amount to nearly fifty thousand dollars, and probably it would not be placed within reach of the public until late in the year eighteen hundred and sixty-six; and before publishing in that year it would be necessary to go over the work again to introduce the statutes of that year, or else the digest would not be complete to the date of publication.

WHALLON,
WRIGHT,
HITTELL.

Mr. Owen, Chairman of the Committee on Education, made the following report:

Mr. SPEAKER:—The Committee on Education, to whom was referred Senate bill No. 212, an Act to amend an Act entitled an Act to provide for the location and sale of the unsold portion of the five hundred thousand acres of land granted to this State for School purposes, and the seventy-two sections donated to this State for the use of a Seminary of learning, approved April twenty-third, eighteen hundred and fifty-eight, and Acts amendatory thereof and supplementary thereto, have had the same under consideration, made no amendment thereto, and report in favor of its passage.

OWEN, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

Mr. SPEAKER:—The Committee on Ways and Means, to whom was referred Senate bill No. 215, an Act supplementary to an Act entitled an Act in relation to suits brought for the collection of delinquent taxes, approved May twelfth, eighteen hundred and sixty-two, beg leave to report the same back, and recommend its passage;

Also, Senate bill No. 246, an Act to create a Contingent Fund for the County of Tulare, and report the same back and recommend that it be referred to the Tulare delegation, with instructions to report a specific amount for Contingent Fund, and name the Fund from which the same shall be set aside.

ALLEN, Chairman.

Mr. Boulware, Chairman of the Committee on Agriculture, made the following report:

Mr. SPEAKER:—The Committee on Agriculture, to whom was referred Assembly bill No. 342, an Act to amend an Act entitled an Act to provide for the sale of certain lands belonging to the State, approved April twenty-seventh, eighteen hundred and sixty-three, have had the same under consideration, and respectfully ask to be discharged from the further consideration of the bill, and that the same be referred to the Committee on Swamp and Overflowed Lands.

BOULWARE, Chairman.

The bill above reported was referred in accordance with the recommendation.

Mr. Fraser made the following report:

Mr. SPEAKER:—Your special committee, appointed to draft a substitute for Assembly bills Nos. 113 and 15, report the same back, with a substitute, and recommend the adoption of the substitute.

FRASER, for Committee.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 328, an Act to amend an Act entitled an Act to incorporate the Town of Eureka, Humboldt County, approved April ninth, eighteen hundred and fifty-nine;

Also, Assembly bill No. 293, an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two;

And on this, the fifth day of March, eighteen hundred and sixty-four, presented the same to the Governor for his approval.

Also, have examined, and found correctly enrolled, Assembly concurrent resolution No. 34, granting to L. W. Elliott, District Attorney of Tehama County, leave of absence;

Also, Assembly concurrent resolution No. 35, in honor of the memory of Reverend T. Starr King;

And on this, the fifth day of March, eighteen hundred and sixty-four, delivered the same to the Secretary of State.

REDFIELD, Chairman.

Mr. Fraser, from the Committee on Counties and County Boundaries, made the following report :

Mr. SPEAKER:—The Committee on Counties and County Boundaries, to whom was referred the petition of citizens of Butte County, report the same back, and recommend that it be referred to the delegations from Butte and Sutter Counties.

FRASER, for Committee.

The petition above reported was referred according to recommendation.

Mr. Cherry made the following report :

Mr. SPEAKER:—The San Francisco delegation, to whom was referred Assembly bill No. 159, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by said Board, have had the same under consideration, report it back with amendments, and recommend its passage as amended;

Also, Assembly bill No. 302, an Act to establish the lines and grades of streets in the City and County of San Francisco, with amendments, and recommend its passage as amended;

Also, Assembly bill No. 307, an Act to establish police regulations for the harbor of the City and County of San Francisco, and to authorize and empower the Board of Supervisors to regulate the same, with amendments, and recommend its passage as amended;

Also, Assembly bill No. 96, an Act to amend an Act granting the right to construct and maintain a railroad in certain streets therein named in the City and County of San Francisco, approved April twenty-third,

eighteen hundred and sixty-three, with amendments, and recommend its passage as amended ;

Also, Senate bill No. 196, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three, and recommend its passage.

CHERRY, for Delegation.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims, to whom was referred Senate bill No. 259, an Act to amend an Act entitled an Act concerning the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty, believing that the bill was by mistake referred to the wrong committee, report it back to the House, recommending its reference to the Judiciary Committee.

CAMPBELL of El Dorado, Chairman.

The bill above reported was so referred.

Mr. Brown of Amador, from the Judiciary Committee, made the following report :

Mr. SPEAKER :—The undersigned, a minority of the Judiciary Committee, to whom was referred Assembly bill No. 61, an Act to amend the election law, and to establish a uniform system of registry throughout the State, have had the same under consideration, and recommend its passage.

BROWN of Amador, for Committee.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 5th, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 245, an Act to grant to certain parties herein named the right to construct and maintain a turnpike or toll road from the Town of Sonora, in Tuolumne County, to the State line in Mono County.

FRED'K F. LOW,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 5th, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 252, an Act to define the legal distances from the county seat of Lake County to the Capital, Lunatic Asylum, and State Prison ;

Also, Assembly bill No. 326, an Act to provide for the transfer of certain funds belonging to the City and County of San Francisco ;

Also, Assembly bill No. 208, an Act to appropriate money to pay the claim of Benjamin P. Avery ;

Also, Assembly bill No. 132, an Act more effectually to limit the time for the presentation and allowance of claims against counties;

Also, Assembly bill No. 295, an Act to provide for and define the manner of collecting a tax to build a School-house in Court-house District, Sonoma County;

Also, Assembly bill No. 53, an Act making an appropriation for a deficiency in the appropriations made for the fourteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-three;

Also, Assembly bill No. 145, an Act concerning roads and highways;

Also, Assembly bill No. 297, an Act to fix the salary of the County Superintendent of Public Schools in Solano County;

Also, Assembly bill No. 230, an Act to repeal an Act entitled an Act to organize townships, and regulate their powers and duties, and submit the same to a vote of the people, so far as the same relates to Mendocino County, and to legalize the election of certain officers therein.

FRED'K F. LOW,
Governor.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
March 4th, 1864. }

MR. SPEAKER :—I am directed to inform the Assembly that the Senate this day concurred in Assembly concurrent resolution No. 35, in honor of the memory of Reverend Thomas Starr King.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
March 5th, 1864. }

MR. SPEAKER :—I am directed to inform the Assembly that the Senate, on the twenty-ninth ultimo, passed Senate bill No. 263, an Act amendatory of an Act entitled an Act to prescribe the duties, and provide for the compensation of the several county officers of the County of Butte, approved April fourteenth, eighteen hundred and sixty-two;

Also, same day, passed Senate bill No. 273, an Act to revive and re-enact sections four and five of an Act entitled an Act concerning marks and brands, passed May first, eighteen hundred and fifty-one, and to repeal a former Act relating thereto;

Also, on the twenty-seventh ultimo, passed Senate bill No. 254, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three;

Also, same day, passed Senate bill No. 250, an Act entitled an Act concerning the Board of Supervisors of the County of San Bernardino, approved April eighth, eighteen hundred and sixty-two;

Also, same day, passed Senate bill No. 247, an Act to grant the right to construct a wagon road in Tulare County;

Also, same day, passed Senate substitute for Senate bill No. 131, an Act granting certain rights and privileges to the Yreka Creek Drainage Company.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 250, above reported, read first and second times, and referred to the San Bernardino delegation.

Senate bill No. 254, above reported, read first and second times, and referred to the San Bernardino delegation.

Senate bill No. 273, above reported, read first and second times, and ordered to General File.

Senate bill No. 247, above reported, read first and second times, and referred to the Tulare delegation.

Senate bill No. 263, above reported, read first and second times, and referred to the Butte delegation.

Senate bill No. 131, above reported, read first and second times.

On motion of Mr. Littlefield, the bill was read for information.

A proposition to suspend the rules for a third reading and passage was defeated by the objection of Mr. Watson.

The bill was ordered to General File.

MOTIONS AND RESOLUTIONS.

In accordance with previous notice, Mr. Boulware moved to change the First Standing Rule of the Assembly, so that the House shall meet at ten and a half o'clock each day.

Mr. Campbell of El Dorado moved to amend, by substituting "ten o'clock"

Mr. Dow moved the previous question.

On which, the ayes and noes were demanded, by Messrs. Wright, Lux, and Sepulveda, and the amendment was rejected by the following vote :

AYES—Messrs. Allen, Badlam, Boulware, Campbell of El Dorado, Chappell, Clark, Clayton, Devoe, Dodson, Dutton, Erkson, Hill, Hittell, Hoag, Hunt, Hirst, Jenison, Kendrick, Ludlow, Perrin, Rhoads, Sepulveda, Smith of Sonoma, Van Leuven, Watson, Weston, Wilcox, Wiley, Winchester, and Whallon—30.

NOES—Messrs. Alley, Beaman, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Cherry, Dickinson, Dow, Dyer, Fraser, Gray, Green, Hubbard, Johnson, Langdon, Littlefield, Lux, Martin, McColliam, Owen, Parker, Personette, Redfield, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Wilsey, Wood, and Wright—40.

The original motion was also rejected.

SPECIAL ORDER.

Senate bill No. 98, (special order of the day,) an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five.

Mr. Scott offered the following amendment: Amend section one, after the word "Supervisor," strike out the words, "it shall be their duty to appoint," and insert the words, "they may appoint."

Adopted.

Mr. Green offered the following amendment: In section three, line two, strike out the words, "nor the County of San Mateo."

Adopted.

The rules were suspended, and the bill read third time, and passed.

On motion of Mr. Dodson, the substitute for Assembly bills Nos. 113 and 151, concerning dogs, was ordered printed.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Gray, for an Act to pay the claim of E. C. Palmer for rent and stationery

By Mr. Van Leuven, for an Act supplementary and amendatory of an Act entitled an Act to amend an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County, approved April thirteenth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Roads and Highways.

By Mr. Wilcox, for an Act to authorize the sale and conveyance to the Potrero Homestead Association of certain Overflowed Lands in the City and County of San Francisco

Read first and second times, and referred to the Committee on Commerce and Navigation.

Also, for an Act to amend an Act entitled an Act amendatory of Article Fourth of an Act entitled an Act to repeal the several charters of the City of San Francisco, to establish the boundaries of the City and County of San Francisco, and to consolidate the government thereof, approved the nineteenth day of April, eighteen hundred and fifty-six, repealing sections thirty-six to sixty-four, inclusive, and Acts and parts of Acts amendatory and supplementary thereof, and substituting this Act for said Article Four, approved April twenty-fifth, eighteen hundred and sixty-two, and the Act amendatory thereof, approved April twenty-fifth, eighteen hundred and sixty-three, and to substitute this Act for said Article Four.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act concerning moneys deposited in the Courts of record of this State.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Weston, for an Act amendatory of an Act supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Wilsey, for an Act fixing the time of holding the terms of the County and Probate Courts in and for the County of Mendocino.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Dyer, for an Act amendatory of an Act entitled an Act to reduce and establish the salaries of officers and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six.

Read first and second times, and referred to the Committee on Ways and Means

By Mr. Clark, for an Act for the relief of William Bradford.

Read first and second times, and referred to the Committee on Claims.

By Mr. Wiley, for an Act to authorize the Board of Supervisors of Humboldt County to annul certain bonds.

Read first and second times, and referred to the Humboldt delegation.

On motion of Mr. Dodson, at twelve o'clock and forty-three minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 8th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called

Quorum present

Prayer by the Chaplain.

Journal of yesterday read and approved.

Leave of absence was granted to Messrs Wiley, Wilsey, Perley, and Green, for one day each.

Mr. Hubbard presented a petition from James M. Sharkey, for payment for medical attendance on Honorable Thomas Campbell, deceased.

Mr. Hubbard introduced a bill for an Act for the relief of James M. Sharkey.

Read first and second times, and referred to the Committee on Claims.

REPORTS.

Mr. Brown of Amador, from the minority of the Judiciary Committee, made a lengthy report in favor of the passage of Assembly bill No. 61, an Act to amend the election law, and to establish a uniform system of registry throughout the State.

The report was ordered printed.

[For report, see Appendix.]

Mr. Van Leuven made the following report:

MR. SPEAKER:—The San Bernardino delegation, to whom was referred Senate bill No. 250, an Act to amend an Act entitled an Act concerning the Board of Supervisors of the County of San Bernardino, approved April eighth, eighteen hundred and sixty-two, have had the same under consideration, beg leave to report the same back, and recommend its passage.

VAN LEUVEN, for Delegation.

Mr. Lux made the following report:

MR. SPEAKER:—The Tuolumne delegation, to whom was referred Sen-

ate bill No. 255, an Act to amend an Act entitled an Act to regulate the fees of certain officers, approved February second, eighteen hundred and fifty-nine, have had the same under consideration, respectfully report the same back, and recommend its passage.

LUX, for Delegation.

The rules were suspended, the bill above reported taken up, the rules again suspended, the bill read third time, and passed.

Mr. Perrin, Chairman of the Committee on Internal Improvements, made the following report:

Mr. SPEAKER:—Your Committee on Internal Improvements, to whom was recommitted Assembly bill No. 273, and the substitute before recommended by us, entitled an Act to authorize the Owens River Canal Company to improve the channel of said river, again report the same back, and recommend the passage of the substitute.

PERRIN, Chairman.

Mr. Buffum made the following report:

Mr. SPEAKER:—The Butte delegation, to whom was referred Senate bill No. 263, concerning the compensation of the several county officers of Butte County, have had the same under consideration, report the same back, and recommend its passage.

BUFFUM,
SUMNER.

The rules were suspended, the bill above reported taken up, read third time, and passed.

RESOLUTIONS.

Mr. Scott of Alameda offered the following resolution:

Resolved, That this House meet on Wednesday evening, ninth instant, at the hour of seven o'clock and thirty minutes p. m., and that we continue to meet at that hour after each daily session, for the purpose of considering special and local bills; and after the consideration of all special and local bills on the file, the evening sessions may be devoted to the consideration of other bills on the General File, and to the general business of the session.

Laid over for one day.

Mr. Owen offered the following resolution:

Resolved, That the Sergeant-at-Arms be and is hereby directed to furnish to the two Assistant Clerks at the desk, (who have not been furnished,) postage to the amount of twenty-five dollars, each, to be paid from the Contingent Fund of the Assembly.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
March 5th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Assembly bill No. 353, an Act supplemental to an Act entitled an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State, approved March second, eighteen hundred and sixty-four.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 8th, 1864. }

Mr. SPEAKER:—I am instructed to inform the Assembly that the Senate, on the fifth instant, refused to recede from its amendment to line two, section eight, of Assembly bill No. 45, an Act for the better protection of the agricultural interests in certain counties in this State, and the more effectual prevention of the trespassing of animals upon private property, and a Committee of Free Conference on the same was appointed on the part of the Senate, consisting of Senators Crane, Hall, and Haswell, and the appointment of a like committee on the part of the Assembly is requested;

Also, this day, concurred in Assembly amendment to Senate bill No. 98, an Act to amend an Act entitled an Act concerning public ferries and toll bridges, passed April twenty-eighth, eighteen hundred and fifty-five.

A. W. BISHOP,
Assistant Secretary.

The Speaker appointed Messrs Watson, Scott of Alameda, and Walker of Alameda, a Committee of Free Conference on the part of the Assembly, on Assembly bill No. 45, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hubbard, for an Act amendatory of an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Kewen, for an Act to amend an Act entitled an Act to authorize the sale of certain real estate by Guardians, approved April tenth, eighteen hundred and sixty.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Scott of Siskiyou, for an Act to authorize the Board of Supervisors of the County of Siskiyou to transfer certain funds belonging to the County Hospital General Fund to the School Fund.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Owen, for an Act to provide for paying the legal and equitable indebtedness of the City of San José.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Hill, for an Act supplemental to an Act entitled an Act to

incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four.

Read first and second times, and placed on file.

GENERAL FILE.

Senate bill No. 131, an Act granting certain rights and privileges to the Yreka Creek Drainage Company—rules suspended, read third time, and passed.

On motion of Mr. Allen, the rules were suspended to take up from its regular order on the file Senate bill No. 212, an Act to amend an Act entitled an Act to provide for the location and sale of the unsold portion of the five hundred thousand acres of land granted to this State for School purposes, and the seventy-two sections donated, to the State for a Seminary of Learning, approved April twenty-third, A. D. eighteen hundred and fifty-eight, and Acts amendatory thereof and supplementary thereto—rules suspended, bill read third time, and passed.

On motion of Mr. Snyder, Assembly bill No. 289, an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three, was taken up.

Mr. Snyder offered amendments, which, together with the bill, were referred to the Judiciary Committee

Assembly bill No. 271, an Act to provide for the collection and publication of agricultural and other statistics of the State—read third time.

On the question "Shall the bill pass?" Messrs. Martin, Beaman, and Snyder, demanded the ayes and noes, which were taken, with the following result:

AYES—Messrs. Allen, Badlam, Bowman, Brooks, Buffum, Campbell of San Francisco, Chappell, Cherry, Clark, Dodson, Dutton, Erksen, Gray, Hartson, Lux, Owen, Rhoads, Scott of Alameda, Smith of Nevada, Walker of Alameda, Wason, Watson, Weston, Winchester, Whallon, and Wright—26.

NOES—Messrs. Beaman, Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Castro, Clayton, Devoe, Dickinson, Dow, Dyer, Fraser, Hill, Hittell, Hoag, Hubbard, Hirst, Johnson, Kendrick, Kewen, Langdon, Littlefield, Martin, McColliam, Parker, Perrin, Personette, Pratt, Redfield, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Walker of Fresno, Wilcox, and Wood—39.

Mr. Boulware gave notice of a motion to reconsider the vote by which the House refused to pass the bill.

Assembly bill No. 103, an Act to prohibit gaming, the special order for twelve o'clock M. was, on motion of Mr. Wood, postponed till Thursday, March tenth, at twelve o'clock M.

Senate bill No. 150, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three—read third time, and passed.

Senate bill No. 87, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, Salt Marsh, and Tide Lands donated to the State by Act of Congress, approved April eleventh, eighteen hundred and sixty-two—read third time, and passed.

Senate bill No. 139, an Act to re-district the City and County of San Francisco.

Mr. Wilcox moved to make the bill the special order for Tuesday, March fifteenth, at twelve o'clock M.

Mr. Owen moved the previous question

Sustained.

On the question to postpone, the ayes and noes were demanded, by Messrs. Snyder, Tukey, and Wood, and the roll was called, with the following result:

AYES—Messrs. Allen, Alley, Boulware, Buffum, Chappell, Dickinson, Dodson, Dyer, Fraser, Hill, Hirst, Personette, Rhoads, Scott of Siskiyou, Sepulveda, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Wilcox, and Wright—24.

NOES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Campbell of San Francisco, Cherry, Clayton, Devoe, Dow, Dutton, Erksan, Gray, Hittell, Hubbard, Johnson, Langdon, Littlefield, Martin, McColliam, Owen, Parker, Perrin, Pratt, Redfield, Rule, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Snyder, Van Leuven, Van Schaick, Weston, Winchester, and Wood—35.

On the passage of the bill, Messrs. Martin, Weston, and Cherry, called for the ayes and noes, which were taken, with the following result:

AYES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Campbell of San Francisco, Cherry, Clayton, Devoe, Dodson, Dow, Dutton, Erksan, Gray, Hittell, Hubbard, Hirst, Johnson, Langdon, Littlefield, Martin, McColliam, Owen, Parker, Perrin, Personette, Pratt, Redfield, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Van Leuven, Weston, Winchester, Whallon, and Wood—39.

NOES—Messrs. Alley, Boulware, Buffum, Dickinson, Dyer, Fraser, Hill, Rhoads, Scott of Siskiyou, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, and Wright—17.

Mr. Dodson gave notice of a motion to reconsider the vote by which the House passed the bill.

Assembly bill No. 233, an Act amendatory of and supplementary to an Act passed March twenty-third, eighteen hundred and fifty.

A count of the House was ordered, and thirty-four members reported present.

Mr. Dodson moved a call of the House.

The motion was adopted.

The roll being called, forty-eight members answered to their names.

On motion of Mr. Wright, further proceedings under the call were dispensed with.

Messrs. Whallon, Sepulveda, and Dodson, called for the ayes and noes on the passage of the bill, which were taken, with the following result:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Clark, Devoe, Dodson, Dow, Dutton, Dyer, Erksan, Fraser, Gray, Hartough, Hittell, Jenison, Langdon, Lux, Martin, McColliam, Owen, Parker, Perrin, Pratt, Rhoads, Scott of Alameda, Scott

of Siskiyou, Smith of Nevada, Snyder, Sumner, Van Schaick, Wason, Watson, Weston, Winchester, Wood, and Wright—44

NOES—Messrs Dickinson, Kendrick, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Alameda, and Whallon—8.

Senate bill No. 160, an Act to provide for the construction of a turnpike road in Santa Clara and Santa Cruz Counties—rules suspended, read third time, and passed.

Assembly bill No. 188, an Act concerning private roads in the County of Sacramento—indefinitely postponed.

Assembly bill No. 299, an Act to amend an Act passed May second, eighteen hundred and sixty-two, entitled an Act to grant the right to construct a turnpike road from the Town of La Porte, County of Sierra, through or near the Beckwith Pass, to the eastern boundary line of this State—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 228, an Act to fix the salary of the Superintendent of Public Schools of Mendocino County—rules suspended, read third time, and passed.

Assembly bill No. 190, an Act to authorize the sale and conveyance to the Golden City Homestead Association of certain Overflowed Lands in the City and County of San Francisco—amendments of committee adopted.

Mr. Cherry moved further to amend, as follows: Amend section one, by striking out the words "County Treasurer of San Francisco," and inserting the words "Treasurer of State."

Adopted

Mr. Cherry offered the following: Amend section one, lines eighteen and nineteen, by striking out the words "County Treasurer of San Francisco for the benefit of the Swamp Land Fund of the State," and inserting the words "credit of the Wharf and Dock Fund."

Adopted.

Mr. Cherry moved further to amend by striking out section three, and changing the numbers of the other sections to correspond.

Adopted.

Mr. Hittell offered an amendment as follows: Amend section one by adding:

"*Provided*, that said patent shall not issue until the Surveyor of the City and County of San Francisco shall have filed with the Governor a certificate that the land so sold shall have been filled in and reclaimed; and, *provided*, further, that such filling in and reclamation shall have been completed before the first day of May, in the year eighteen hundred and sixty-eight."

Lost.

On motion of Mr. Cherry, the rules were suspended, the bill considered engrossed, and placed upon its passage.

On the passage of the bill, the ayes and noes were demanded, by Messrs Walker of Alameda, Campbell of San Francisco, and Tukey, and taken, with the following result:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Castro, Cherry, Clark, Dickinson, Dodson, Dow, Fraser, Gray, Hartsough, Hill,

Hubbard, Hunt, Jenison, Johnson, Kendrick, Lux, Martin, Perley, Personette, Redfield, Rhoads, Rule, Scott of Si-kiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Wason, Watson, Weston, Wilcox, Winchester, Whallon, Wood, and Wright—49.

NOES—Messrs. Brown of Tulare, Campbell of San Francisco, Devoe, Dutton, Erkson, Hittell, Hirst, Langdon, McColham, Perrin, Scott of Alameda, Walker of Alameda, and Walker of Fresno—13.

Assembly bill No. 214, an Act to authorize the sale and conveyance to the North San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco—committee amendments adopted.

Mr. Martin moved that the rules be suspended, the bill considered engrossed, read third time, and placed upon its passage.

The House so ordered

On the passage of the bill, Messrs. Walker of Alameda, Campbell of San Francisco, and Tukey, called for the ayes and noes, which were taken, with the following result:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Castro, Cherry, Clark, Dickinson, Dodson, Erkson, Fraser, Gray, Hartsough, Hill, Hubbard, Hunt, Jenison, Johnson, Kendrick, Martin, Perley, Personette, Pratt, Rhoads, Rule, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuven, Wason, Watson, Weston, Wilcox, Whallon, Wood, and Wright—44.

NOES—Messrs. Brown of Tulare, Campbell of San Francisco, Devoe, Dutton, Hittell, Hirst, Langdon, McColham, Perrin, Scott of Alameda, Walker of Alameda, and Walker of Fresno—12.

SPECIAL ORDER.

Assembly bill No. 176, (special order of the day,) an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty six, was taken up, considered in Committee of the Whole, (Mr. Dodson in the Chair.)

IN ASSEMBLY.

Reported, and bill made the special order for March ninth, at one o'clock P. M.

At ten minutes past five o'clock P. M., on motion of Mr. Whallon, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 9th, 1864. }

House met pursuant to adjournment.
Speaker in the Chair.
Roll called
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

Mr. Dodson, in moving a reconsideration, according to previous notice, of the vote whereby the House, on yesterday, passed Senate bill No. 139, an Act to re-district the City and County of San Francisco, presented the following communication:

SAN FRANCISCO,
March 8th, 1864. }

To the Honorable the Legislature of the State of California:

We, the undersigned, members of the Board of Supervisors of the City and County of San Francisco, believe that the bill now pending before your honorable body having for its object the re-districting of this city, should it become a law, will work very great hardship—amounting almost to a disfranchisement—to a large portion of the citizens residing in several districts of the city, particularly the citizens of that portion of the Eleventh District known as “Hayes’ Valley,” which the bill proposes to add to the Twelfth, as there are no roads or streets communicating between the Eleventh and Twelfth Districts

A. H. TITCOMB, 1st District.
JOHN FAY, 2d District.
H. DE LA MONTANYA, 3d District.
A. H. CUMMINGS, 10th District.
FRANK McCOPPIN, 11th District.
M. CODY, 12th District.

Mr. Snyder moved to indefinitely postpone the motion to reconsider.

Mr. Owen moved the previous question.

On adopting the motion to indefinitely postpone the motion to reconsider, the ayes and noes were demanded, by Messrs. Wiley, Hirst, and Clayton, and taken, with the following result:

AYES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Campbell of San Francisco, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Erkson, Gray, Hittell, Hubbard, Johnson, Langdon, Littlefield, Martin, McCollum, Mebius, Owen, Parker, Perrin, Personette, Pratt, Redfield, Rule, Scott of Alameda, Smith of Nevada, Snyder, Van Leuven, Van Schaick, Weston, Winchester, and Wood—37.

NOES—Messrs. Alley, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Dickinson, Dodson, Dyer, Hill, Hoag, Hunt, Hirst, Jenison, Kendrick, Ludlow, Lux, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda,

Walker of Fresno, Wason, Watson, Wilcox, Wiley, Wilsey, Whallon, and Wright—33.

So the motion to reconsider was indefinitely postponed.

Mr. Boulware moved to reconsider the vote whereby the House yesterday indefinitely postponed Assembly bill No. 271, an Act to provide for the collection and publication of agricultural and other statistics of the State.

Mr. Martin moved to indefinitely postpone the motion to reconsider.

On which, the ayes and noes were demanded, by Messrs. Devoe, Dodson, and Sepulveda, and taken, with the following result:

AYES—Messrs. Brown of Amador, Brown of Tulare, Clayton, Devoe, Dickinson, Fraser, Hirst, Johnson, Kendrick, Langdon, Littlefield, Martin, McColliam, Perrin, Personette, Redfield, Sepulveda, Smith of Sonoma, Snyder, Van Leuven, Walker of Fresno, Whallon, and Wood—23.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Buffum, Campbell of San Francisco, Chappell, Clark, Dodson, Dow, Hubbard, Hunt, Ludlow, Lux, Owen, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Weston, Wilsey, Winchester, and Wright—32.

On the motion to reconsider, the ayes and noes were demanded, by Messrs. Devoe, Buffum, and Rhoads, and the House agreed to reconsider, by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Buffum, Campbell of San Francisco, Chappell, Clark, Dodson, Dow, Hoag, Hubbard, Hunt, Ludlow, Lux, Owen, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Winchester, Whallon, and Wright—34.

NOES—Messrs. Brown of Amador, Brown of Tulare, Clayton, Devoe, Dickinson, Hirst, Johnson, Kendrick, Langdon, Littlefield, Martin, McColliam, Perrin, Redfield, Sepulveda, Smith of Sonoma, Snyder, Van Leuven, Walker of Fresno, and Wood—20.

On motion of Mr. Martin, the vote was reconsidered, and the bill ordered to top of file for Friday, March eleventh.

Mr. Martin moved that the special order of the day, Assembly bill No. 202, be postponed until after the order of business is gone through and two hours passed in consideration of business on General File.

Mr. Boulware moved to amend, by postponing the special order five minutes.

The motion was adopted.

Mr. Weston moved to suspend the rules, and take up Assembly bill No. 205, an Act concerning roads and highways in the County of Sierra.

The House so agreed.

The bill was taken from the file, substitute reported therefor adopted, rules again suspended, considered engrossed, read third time, and passed.

On motion of Mr. Scott of Alameda, all the special orders of the day were ordered to top of General File for to-day.

On motion of Mr. Martin, Senate bill No. 143, was taken from the file and recommitted to the Committee on Ways and Means.

Mr. Clark presented a petition from citizens in Honey Lake Valley, in

favor of the extension of the provisions of the Act of April twenty-first, eighteen hundred and fifty-six, concerning hogs running at large in certain counties, to Honey Lake Valley, Plumas County.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 299, an Act to amend an Act passed May second, eighteen hundred and sixty-two, entitled an Act to grant the right to construct a turnpike road from the Town of La Porte, County of Sierra, through or near the Beckwith Pass, to the eastern boundary line of this State;

Also, Assembly bill No. 375, an Act to authorize the Board of Supervisors of the County of Siskiyou to transfer certain funds belonging to the County Hospital General Fund to the School Fund;

Also, Assembly bill No. 376, an Act to provide for paying the legal and equitable indebtedness of the City of San José;

Also, Assembly bill No. 190, an Act to authorize the sale and conveyance to the Golden City Homestead Association of certain Overflowed Lands in the City and County of San Francisco;

Also, Assembly bill No. 214, an Act to authorize the sale and conveyance to the North San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco.

DYER, Chairman.

Mr. Snyder made the following report:

MR. SPEAKER:—The Placer County delegation, to whom was referred Assembly bill No. 283, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-three, having had the same under consideration, report the same back, and unanimously recommend the passage of the same.

SNYDER, for Delegation.

Mr. Boulware made the following report:

MR. SPEAKER:—The Sutter delegation, to whom was referred Senate bill No. 272, an Act to fix the salary of the Superintendent of Public Schools of the County of Sutter, having had the same under consideration, have amended the same, and recommend its passage as amended.

BOULWARE, for Delegation.

Mr. Clayton made the following report:

MR. SPEAKER:—The San Francisco delegation, to whom was referred Assembly bill No. 261, an Act to provide for the construction of a macadamized road in the City and County of San Francisco and for the collection of tolls thereon, having had the same under consideration, report it back with amendments, and recommend its passage as amended.

CLAYTON, for Delegation.

Mr. Owen made the following report :

MR. SPEAKER:—Your Committee of Conference, appointed on Senate bill No. 128, an Act to amend an Act entitled an Act creating the office of Bailiff of the Supreme Court, approved April sixth, eighteen hundred and sixty-three, have performed the duty assigned them, and unanimously recommend that the Assembly recede from its amendment.

OWEN,

For Assembly Committee.

WRIGHT,

For Senate Committee.

Mr. Owen made the following report :

MR. SPEAKER:—The Committee of Free Conference on the part of the Assembly, appointed to confer with a like committee from the Senate, on the matter of difference concerning the salary of Bailiff of the Supreme Court, have given the matter their careful attention, and beg leave to submit the following report, embodying some of the reasons by which they arrived at their conclusions :

In view of the fact that the Bailiff is clothed by law with the dignity of a responsible office—that of Sheriff—which requires that he shall wear good clothes, and comport himself in a manner creditable to his position; and in view of the additional labor imposed on said Bailiff by being required to discharge the duties of Porter, which duties are largely increased by the addition of two Judges to the bench, whose rooms he is required to keep in order; and in view of the further fact that said Bailiff, in the capacity of Porter, is required to run of errands for each integral portion of the bench, and see that the Court is supplied with ice water, thereby contributing in a measure to the coolness of their deliberations, we are of opinion that twelve hundred dollars per annum is as small a sum as can reasonably be expected to employ the requisite talents to perform these manifold duties. Your committee would also state, that while nine hundred dollars per year might be a reasonable compensation for the actual labors performed, yet the additional sum of three hundred dollars is necessary to enable said Bailiff to support the dignity of the office in a manner that shall be no discredit to the Court. We therefore respectfully recommend that the Assembly recede from its amendment.

OWEN,

MARTIN.

On adopting the report of the Joint Committee of Free Conference, Mr. Winchester moved the previous question.

Sustained.

The ayes and noes were demanded, by Messrs Weston, Boulware, and Rule, and taken, with the following result :

AYES—Messrs. Allen, Alley, Beaman, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Clark, Dodson, Dow, Hill, Hittell, Hoag, Hubbard, Hunt, Jenison, Lux, Martin, McColliam, Owen, Pratt, Sepulveda, Smith of Nevada, Snyder, Teare, Walker of Alameda, Winchester, Whallon, and Wright—29.

NOES—Messrs. Boulware, Devoe, Fraser, Hirst, Langdon, Littlefield, Parker, Perley, Perrin, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Sonoma, Van Schaick, Wason, Watson, and Weston—18.

So the report was adopted.

W. Wiley made the following report:

MR. SPEAKER:—Your committee, to whom was referred Assembly bill No. 369, an Act to authorize the Board of Supervisors of Humboldt County to annul certain bonds, have had the same under consideration, and report the same back, and recommend its passage.

WILEY, for Committee.

Mr. Van Schaick, Chairman of the State Library Committee, made the following report:

MR. SPEAKER:—The State Library Committee, to whom was referred Assembly bill No. 195, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act providing a Fund for the use of the State Library, passed May first, A. D. eighteen hundred and fifty-two, approved May eleventh, eighteen hundred and fifty-three, have had the same under consideration, report it back, and recommend its passage.

VAN SCHAICK, Chairman.

Mr. Scott of Alameda offered an amendment to the rules of the Assembly, providing for the holding of evening sessions, commencing March ninth, for the consideration of local bills.

On motion of Mr. Owen, laid on the table.

Mr. Wright moved to reconsider the vote whereby Senate bill No. 143, legalizing a contract between D. R. Ashley, late State Treasurer, and Wells, Fargo & Co., was taken from the file, and recommitted to the Committee on Ways and Means.

The motion was adopted.

The bill was replaced on the file.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
March 8th, 1864. }

MR. SPEAKER:—I am instructed to inform the Assembly that the Senate has, this day, passed Senate bill No. 313, an Act to authorize the Board of Supervisors of Calaveras County to take and subscribe fifty thousand dollars to the capital stock of the Big Tree and Carson Valley Turnpike Company, and to provide for the payment of the same

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 9th, 1864. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate, this day, concurred in Assembly amendment to Senate bill No. 150, an Act to amend an Act concerning the Courts of Justice of this State, approved April twentieth, eighteen hundred and sixty-three;

Also, this day, refused to concur in Assembly amendment to Senate bill No. 87, an Act to amend an Act entitled an Act for the reclamation and segregation of Swamp and Overflowed, Salt Marsh, and Tide Lands, donated this State by Act of Congress, approved April eleventh, eighteen

hundred and sixty-two, and ask the Assembly to recede from said amendment;

Also, same day, amended and passed Assembly bill No. 206, an Act to authorize R. C. Kirby and others to construct a road from Santa Cruz to the San Francisco and San José Railroad, and ask the concurrence of the Assembly therein.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
March 9th, 1864. }

Mr. SPEAKER :—I am instructed to inform the Assembly that the Senate, on the eighth instant, passed Senate bill No. 205, an Act to create a Board of Commissioners in the County of Tulare, to define their powers and duties, and to appropriate money for the purpose thereof;

Also, on the third instant, passed Senate bill No. 280, an Act to allow additional compensation to the Board of Supervisors of Nevada County.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
March 9th, 1864. }

Mr. SPEAKER :—I am instructed to inform the Assembly that the Senate has this day adopted the report of the Committee of Conference on the disagreeing vote of the two Houses on Senate bill No. 128, an Act creating the office of Bailiff of the Supreme Court, recommending the Assembly to recede from its amendment to said bill.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 205, above reported, read first and second times, and, the rules being suspended, the House went into Committee of the Whole (Mr. Hittell in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, read third time, and passed.

Senate bill No. 280, above reported, read first and second times, and ordered to General File.

Senate bill No. 313, above reported, read first and second times, rules suspended, read third time, and passed.

The House concurred in Senate amendment to Assembly bill No. 206, above reported.

The House receded from its amendment to Senate bill No. 87, above reported.

NOTICES OF BILLS.

Notices of the introduction of bills were given as follows :

By Mr. Jenison, for an Act for the purpose of disposing of lots in the Town of Red Bluff.

By Mr. Martin, for an Act to fix the salaries of county officers in the County of Nevada.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Chappell, for an Act to fix the time of holding the County Court and Probate Court in the County of Shasta.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Beaman, for an Act to enforce the collection of road taxes in Yuba County.

Read first and second times, and referred to the Yuba delegation.

On motion of Mr. Allen, Assembly bill No. 310 was recommitted to the Committee on Ways and Means.

GENERAL FILE.

Assembly bill No. 202, an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale—returned without approval by the Governor.

On the question, "Shall the bill pass, notwithstanding the objections of the Governor?" the ayes and noes were demanded, and taken, with the following result:

AYES—Messrs. Badlam, Beaman, Bowman, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Devoe, Dickinson, Dodson, Dow, Gray, Hill, Hirst, Jenison, Johnson, Kendrick, Martin, McCollum, Owen, Parker, Perley, Perrin, Pratt, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilsey, Wood, and Wright—39.

NOES—Messrs. Boulware, Brooks, Buffum, Chappell, Cherry, Clark, Clayton, Dutton, Erksun, Hartsough, Hittell, Hunt, Langdon, Littlefield, Ludlow, Lux, Redfield, Scott of Alameda, Van Schaick, Wason, and Watson—21.

Mr. Van Schaick gave notice of a motion to reconsider.

Mr. Hill, under a suspension of the rules, made the following report:

MR. SPEAKER:—The San Luis Obispo delegation, to whom was referred Assembly bill No. 256, have amended the same, and recommend its passage as amended.

HILL, for Delegation.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, under a suspension of the rules, made the following report:

MR. SPEAKER:—The Committee on Claims to whom was referred Senate bill No. 225, an Act for the relief of Levi Beck, would report the facts of the case to be: That the said Levi Beck was, in the month of June, eighteen hundred and sixty-two, tried and convicted in the Court of Sessions of Placer County, State of California, on a charge of robbery, committed on the person of one John Homsyn, and sentenced to the State Prison for five years. At the expiration of about nine months, the said Levi Beck was, by reason of an informality in the indictment, discharged, and a new trial granted, at which trial he was acquitted. He now claims to be entitled to the sum named in the bill, (six hundred

and seventy-five dollars,) as a compensation for services rendered the State of California while serving out his term of imprisonment. We respectfully report the bill back to the House, and recommend its indefinite postponement.

CAMPBELL of El Dorado, Chairman.

On motion of Mr. Lux, Assembly bill No 79, an Act for the completion of the State Capitol, was ordered to top of file for Thursday, March tenth.

The House again went into Committee of the Whole, (Mr. Dodson in the Chair,) for the further consideration of Assembly bill No 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six.

IN ASSEMBLY.

The committee rose, and reported the bill without recommendation.

Mr. Wright moved to place the bill at top of file for to-morrow.

The motion prevailed.

On motion of Mr. Campbell of San Francisco, at five o'clock and five minutes p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Thursday, March 10th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Sumner presented a petition of citizens of Butte County in favor of repealing the specific contract Act.

Referred to the Judiciary Committee.

REPORTS.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

MR SPEAKER :—Your Committee on Ways and Means, to whom was referred Senate bill No. 72, an Act to provide for the collection of certain moneys due this State, have had the same under consideration, and ask leave to report it back, with a recommendation that it be indefinitely postponed;

Also, Assembly bill No 367, an Act amendatory of an Act entitled an Act to reduce and establish the salaries of officers and pay of members

of the Legislature, approved April twenty-first, eighteen hundred and fifty-six, and recommend that the same be passed.

ALLEN, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report:

Mr. SPEAKER:—The Committee on Claims, to whom was referred Assembly bill No. 186, an Act to audit and allow the claim of Henry Johnson, beg leave to report it back to the House, and recommend its passage;

Also, have had under consideration Assembly bill No. 372, an Act for the relief of James M. Sharkey—a claim for medical services rendered during the illness of the late Honorable Thomas Campbell, deceased—and report it back to the House, recommending its indefinite postponement;

Also, Assembly bill No. 368, an Act for the relief of William Bradford. This bill appropriates the sum of five thousand dollars. It appears by the evidence that the claimant was, while acting as one of a Sheriff's posse in the County of Plumas, wounded by a rifle ball, and crippled for life. The committee heartily sympathize with him in his misfortune, but do not feel justified in recommending that the State should pay the claim. Therefore, we are compelled to report adversely to the bill.

CAMPBELL of El Dorado, Chairman.

Mr. Littlefield, from the Committee on Public Expenditures, made the following report:

Mr. SPEAKER:—Your Committee on Public Expenditures have examined and found correct the following bills, to wit:

| To whom due. | Amount. |
|--|----------|
| W. N. Slocum, for Trinity Journal furnished Members of Assembly..... | \$33 00 |
| John Breuner & Co., furniture..... | 96 50 |
| Santa Cruz Sentinel..... | 5 00 |
| Gelwicks & January, for Mountain Democrat..... | 30 00 |
| W. M. Rider, for stamps..... | 50 00 |
| T. D. Pratt, for Placer Herald..... | 6 00 |
| Floberg & Conrad, for clock..... | 50 00 |
| Joseph Harris, for room rent..... | 70 00 |
| Edwards & Co., one eyelet machine..... | 4 00 |
| Total..... | \$344 50 |

And respectfully recommend the adoption of the following resolution:

Resolved, That the Controller of State be and he hereby is directed to draw his warrant on the Contingent Fund of the Assembly as follows:

In favor of W. N. Slocum, for thirty-three dollars;
 In favor of John Breuner & Co., for ninety six dollars and fifty cents;
 In favor of Santa Cruz Sentinel, for five dollars;
 In favor of Gelwicks & January, for thirty dollars;
 In favor of W. M. Rider, for fifty dollars;
 In favor of T. D. Pratt, for six dollars;
 In favor of Floberg & Conrad, for fifty dollars;
 In favor of Joseph Harris, for seventy dollars;
 In favor of Edwards & Co., for four dollars.

All of which is respectfully submitted

LITTLEFIELD, for Committee.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

Mr. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 366, an Act fixing the time of holding the terms of the County Court and Probate Court in and for the County of Mendocino, have had the same under consideration, and report it back with a substitute for the same, and recommend the passage of the substitute;

Also, Assembly bill No. 378, an Act to fix the time of holding the County Court and Probate Court in the County of Shasta, have had the same under consideration, and report it back with a substitute for the same, and recommend the passage of the substitute;

Also, Assembly bill No. 364, an Act concerning moneys deposited in Courts of record in this State, and recommend the passage of the bill;

Also, Assembly bill No. 352, an Act amendatory of and supplementary to an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two, and report the same back, with recommendation of its passage;

Also, Senate bill No. 154, an Act supplementary to an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty, with recommendation of its indefinite postponement;

Also, Assembly bill No. 338, an Act concerning jurors in Plumas County, and report the same back with an amendment, and recommend the passage of the same as amended;

Also, Assembly bill No. 373, an Act amendatory of an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and sixty-one, and report the same back with an amendment, and recommend its passage as amended.

CAMPBELL, of San Francisco, Chairman.

Mr. Hittell, from the Judiciary Committee, made the following report:

Mr. SPEAKER:—The undersigned, a minority of your Judiciary Committee, to whom was referred Senate bill No. 143, an Act to legalize a certain contract between D. R. Ashley, late State Treasurer, and Wells, Fargo & Co., beg leave to submit the following report:

This contract was, that Wells, Fargo & Co. should transport and insure two hundred and twenty-nine thousand nine hundred and eighty-seven dollars and sixty-seven cents, in greenbacks, from Washington to Sacramento, for the State, and as consideration for that service should receive five per cent of the amount so transported. The contract was made orally, by Louis McLane on behalf of Wells, Fargo & Co., and by

D. R. Ashley, State Treasurer, on behalf of the State, in the presence of W. W. Stow, in July last. The contract was to be subject to the approval of the Legislature. It was proper that Mr. Ashley should send by express for the greenbacks; it was proper that he should insure them; the price agreed upon was fair and customary, and the property was transported and delivered in accordance with the contract. The majority of the committee admit all these points, but they say that there was no proper contract; that the contract should have been in writing, and that the State could not have recovered the sum if it had been lost. The questions at issue, then, are:

First—Is an oral agreement of insurance valid? and

Second—Was there sufficient evidence of the oral agreement between Ashley and McLane to furnish proof in case of suit?

As to the first point, it has been decided in numerous cases that an oral agreement of insurance is valid. (See *Com. Ins. Co. vs. Hallock*, 2 *Dutchers*, 268; 3 *Dutchers*, 695; *Kennebec Co. vs. Augusta Ins. Co.*, 6 *Gray*, 204; *Rockwell vs. Hartford Fire Ins. Co.*, 4 *Abbott's*, 179. See also *Phillip on Insurance*, vol. 1, subdivision 9, pages 8 and 9; and *Duer on Maritime Insurance*, vol. 1, p. 60.)

As to the second point, it seems clear that the proof of the contract would be sufficient if the only witnesses had been the parties to it; but there is still more proof in the presence of a disinterested party.

We are informed that Wells, Fargo & Company frequently make oral contracts of insurance, and have paid large sums under such contracts, for losses.

It may be admitted that the late State Treasurer did not use proper judgment and prudence when he neglected to make a written contract, but he did not act dishonestly. It has been said that the matter should be left to the Courts, where justice will be done to all parties. But the fact that the contract is void unless approved by the Legislature, deprives Mr. Ashley and Wells, Fargo & Company of all the protection which justice requires that they should have in the Courts.

The sum agreed upon as payment for transportation and insurance, eleven thousand four hundred and ninety-nine dollars, has been retained by Wells, Fargo & Company. If we refuse our approval, Mr. Ashley must pay the deficit, or be a defaulter. Perhaps the State will have to sue him and his bondsmen; perhaps he will have to sue the Express Company. If we indefinitely postpone this bill, we not only declare void a contract the honesty and propriety of which are not denied in any respect, save that it was not in writing—we not only deprive the State Treasurer and the Express Company of the protection required by justice, as against the State, but also as between themselves; and even if we refuse to pay for the insurance, we still cannot escape the moral obligation of paying at least one half of one per cent (one thousand one hundred and forty-nine dollars) for the transportation.

We recommend the passage of the bill.

HITTELL, for Committee.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 205, an Act concerning roads and highways in the County of Sierra.

●
DYER, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims, to whom was referred Senate bill No. 173, an Act to appropriate money to pay the claims of John Byrnes and others, for material furnished and labor performed in fitting up the Supreme Court rooms, Judges' chambers, Clerk's office, and Attorney-General's office, would respectfully report that they have given the bill, and the claims connected with it, a thorough investigation, and have, so far as possible, examined all the articles purchased for and the labor performed in fitting up the Supreme Court rooms, Clerk's rooms, and Attorney-General's office, and find that the parties designated in the bill have made charges far in excess of a margin that would be reasonable, in view of the present discount upon State scrip.

The committee believe that it will be no more than right and just to allow them an advance of twenty per cent upon cash prices.

So far as the claim of John Byrnes is concerned, the committee are unanimously of the opinion that the labor claimed to have been performed by him belonged to the duties of his office, and that his claim of one hundred dollars therefor should be rejected.

We report the bill back to the House, with amendments, and recommend its passage as amended.

CAMPBELL of El Dorado, Chairman.

Mr. Brown of Tulare made the following report :

MR. SPEAKER :—The Tulare delegation have had under consideration Senate bill No. 246, and beg leave to report the same back to the House, and recommend its passage.

BROWN of Tulare, for Delegation.

Mr. Van Schaick, according to notice, moved to reconsider the vote whereby the House yesterday refused to pass Assembly bill No 202, over the veto of the Governor.

The motion prevailed.

The question "Shall the bill pass notwithstanding the veto of the Governor?" being put, was decided in the affirmative, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Brown of Amador, Brown of Tulare, Campell of El Dorado, Campbell of San Francisco, Devoe, Dickinson, Dodson, Dow, Dyer, Gray, Hill, Hoag, Hubbard, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Martin, McColliam, Owen, Parker, Perrin, Personette, Pratt, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, Wood, and Wright—47.

NOES—Messrs. Boulware, Brooks, Buffum, Castro, Clayton, Erkson, Hartsough, Hittell, Littlefield, Ludlow, Lux, Mebius, Scott of Alameda, Snyder, Wason, and Watson—16.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
March 9th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the twenty-seventh of February, passed Senate bill No. 282, an Act to amend an Act entitled an Act to authorize J. Bidwell, J. C. Mandeville, and others, to construct a wagon road in the Counties of Butte and Plumas, approved April fourteenth, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 282, above reported, read first and second times, rules suspended, read third time, and passed.

Mr. Tukey gave notice of the introduction of a bill for an Act to abolish the office of Reporter of the Fourth and Twelfth Judicial District Courts, and the office of Secretary of the Supreme Court.

Mr. Dow also gave notice of an amendment to Rule One of the Standing Rules of the Assembly.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hubbard, for an Act amendatory of an Act to reduce the salaries of officers and pay of members of the Legislature, passed April twenty-first, eighteen hundred and fifty-six.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Pratt, for an Act to grant the right to construct a turnpike road between Forest Hill and Grasshopper Ranch, in the County of Placer, with branches thereto, and to establish and maintain a bridge thereon, to J. L. Sanborn, his associates and assigns.

Read first and second times, and referred to the Placer delegation.

By Mr. Watson, for an Act to amend an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Wilsey, for an Act to provide for Recorders and Auditors in certain counties in this State, and to legalize the acts of certain officers.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Gray, for an Act amendatory of and supplementary to an Act entitled an Act to provide for street railroads within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and also to an Act entitled an Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon, approved April seventeenth, eighteen hundred and sixty-one, and also to an Act entitled an Act supplemental to an Act to provide for street railroads within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and to an Act to grant to certain persons the right of way for a railroad track within the corporate limits of the City and County of San Francisco, and to run horse cars thereon, approved April seventeenth, eighteen hundred and sixty-one, approved March twenty-eighth, eighteen hundred and sixty-three.

Read first and second times, and referred to the San Francisco delegation.

GENERAL FILE

Assembly bill No. 79, an Act for the completion of the State Capitol, and to provide for the payment of the same—considered in Committee of the Whole, (Mr. Whallon in the Chair)

IN ASSEMBLY.

At twelve o'clock M., the time for consideration of the special order of the day, Assembly bill No. 103, an Act to prohibit gaming, the committee rose and asked leave to sit again.

The special order was taken up and ordered next on file after the general appropriation bill.

The House again resolved itself into Committee of the Whole, (Mr. Whallon in the Chair,) for the consideration of the State Capitol bill.

IN ASSEMBLY.

The committee rose, and reported the bill with amendments, and without recommendation.

Mr. Van Schawck moved to adjourn.

Lost.

Mr. Badlam moved to place the bill at top of file for Tuesday, March fifteenth.

MISCELLANEOUS.

On motion of Mr. Wilcox, Senate bill No. 246, an Act to create a Contingent Fund for the County of Tulare, was taken up, rules suspended, read third time, and passed.

On motion of Mr. Langdon, Senate bill No. 105, an Act to grant the right to construct a turnpike road from Campo Seco to Mokelumne Hill, thence to the Big Tree Road, near the Big Meadows, in Calaveras County, was taken from the file, and the rules being suspended, read third time, and passed.

The rules were suspended for the following report by Mr. Watson :

MR. SPEAKER :—The Committee of Free Conference upon the disagreeing vote of the Senate and Assembly upon the amendment of the Senate to Assembly bill No. 45, an Act for the better protection of the agricultural interests of this State, and the more effectual prevention of the trespassing of animals on private property, have met with a like committee appointed by the Senate, and had the subject matter under consideration, and together report the bill back, and recommend that the Senate recede from the amendment not agreed to by the Assembly.

WATSON,

SCOTT of Alameda,

WALKER,

Assembly Committee;

CRANE,

HALL,

HASWELL,

Senate Committee.

Mr. Wright moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Dodson, Allen,

and Badlam, and at five o'clock and five minutes P. M., the House agreed so to do, by the following vote :

AYES—Messrs Bowman, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Dickinson, Fraser, Hoag, Hubbard, Johnson, Ludlow, Lux, Perrin, Personette, Pratt, Redfield, Rhoads, Scott of Siskiyou, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Watson, Wilcox, Wilsey, and Wright—30.

NOES—Messrs. Allen, Badlam, Beaman, Boulware, Castro, Clark, Dodson, Dyer, Erkson, Gray, Hill, Hittell, Langdon, Martin, Parker, Perley, Scott of Alameda, Sepulveda, Smith of Nevada, Walker of Alameda, Walker of Fresno, Wason, Weston, Winchester, and Wood—25.

IN ASSEMBLY.

HOUSE OF ASSEMBLY. }
Friday, March 11th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain

Journal of yesterday read and approved.

Mr. Jenison presented a petition of citizens of Tehama, relative to salary of Sheriff of that county.

Ordered to file.

REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 353, an Act supplemental to an Act entitled an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of this State, approved March second, eighteen hundred and sixty-four ;

And on Thursday, March tenth, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

MR. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Assembly bill No. 371, an Act supplemental to and amendatory of an Act entitled an Act to amend an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino through Devil's Cañon to the Mojave River, in San Bernardino County, approved April thirteenth, eighteen hundred and sixty-three,

beg leave to report that they have had the same under consideration, and report it back, with the recommendation that it pass

LUDLOW, Chairman.

Mr. Brown of Tulare made the following report :

Mr. SPEAKER :—The Tulare delegation have had under consideration Senate bill No 247, and beg leave to report the same back to the House, and recommend its passage.

BROWN of Tulare, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 10th, 1864. }

To the Assembly of the State of California :

I herewith return, without my approval Assembly bill No. 215, an Act to grant the Union Bridge Company the right to construct and maintain a bridge across the Stanislaus River.

The Legislature, by an Act passed April twenty-eighth, eighteen hundred and fifty-five, which was amended April fourteenth, eighteen hundred and sixty-two, and further amended April twenty-seventh, eighteen hundred and sixty-three, provided for the granting of franchises for the erection of toll bridges across all rivers and streams within the State not navigable; reserving to the Legislature the sole control over all navigable streams.

From a careful examination of the Acts on the subject, I am convinced that ample authority is given under the general laws for the construction of bridges, and, therefore, think the passage of special Acts by the Legislature, providing for doing that which can be done equally as well without them, as unwise.

The bill under consideration does not differ materially from the general law except in this, that by the general law it is provided that at any time after five years from and after the granting of the franchise the counties shall have the privilege of purchasing the bridge, the value of the same to be ascertained in the manner provided by law. The Act under consideration contains no such provisions. This provision seems to me so eminently proper that even if there were no other objections, this would be sufficient reason for withholding my approval.

Twenty years in California is a term during which important changes may and probably will occur. It is probable that all bridges which are constructed under the general law will be purchased by the counties long before the expiration of the franchise, and thrown open to the public free of charge for toll.

Believing, as I do, that the general law confers all the privileges that should be granted for such purposes, and that the passage of special Acts are not only unwise but detrimental to the best interests of the people of the State, I cannot conscientiously sign the bill.

FRED'K F. LOW,
Governor.

On the question "Shall the bill pass, notwithstanding the objection of

the Governor?" the ayes and noes were taken, and the House refused to pass, by the following vote :

AYES—None.

NOES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Dickinson, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hill, Hit-tell, Hoag, Hubbard, Hunt, Jenison, Johnson, Kendrick, Langdon, Little-field, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wiley, Wilsey, Winchester, Whallon, Wood, and Wright—67.

Mr. Redfield asked leave to be recorded in favor of sustaining the veto by the Governor of Assembly bill No. 202, passed yesterday.

Leave granted.

. MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 10th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, concurred in Assembly amendments to Senate concurrent reso-lution No. 23, relative to Swamp and Overflowed Lands ;

Also, this day, passed Senate bill No. 329, an Act to legalize the levy of taxes in the County of Sacramento for the fiscal year commencing on the first Monday in March, eighteen hundred and sixty-four ;

Also, this day, passed Senate bill No. 330, an Act to provide for the liquidation of the indebtedness of the City of Sacramento which accrued prior to January first, eighteen hundred and fifty-nine.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER.
March 10th, 1864. }

Mr. SPEAKER :—The Senate yesterday receded from its amendment to line six, section thirteenth, of Assembly bill No. 216, an Act supplemen-tary to and amendatory of the Act of April sixth, eighteen hundred and sixty three, entitled an Act to provide for the maintenance and supervi-sion of Common Schools ;

Also, this day, amended and passed Assembly bill No. 150, an Act to create the County of Alpine, to define its boundaries, and to provide for its organization, and ask the concurrence of the Assembly in said amend-ments.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 11th, 1864. }

Mr. SPEAKER :—The Senate yesterday amended and passed Assembly bill No. 205, an Act concerning roads and highways in the County of Sierra :

Also, same day, the Senate receded from its amendment, not concurred in by the Assembly to Assembly bill No. 45, an Act for the better protection of the agricultural interests in certain counties in this State, and the more effectual prevention of the trespassing of animals upon private property.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 329, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 330, above reported, read first and second times, and referred to General File.

The House concurred in Senate amendment to Assembly bill No. 205, above reported.

Also, concurred in Senate amendment to Assembly bill No. 150, above reported.

In accordance with previous notice, Mr. Dow moved to amend Rule One of the Standing Rules of the Assembly, by striking out "eleven," and inserting "ten."

Adopted.

Mr. Hittell gave notice of an additional rule, Number Seventy-Nine, to the Standing Rules

Laid over one day.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Jenison, for an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred, with petition, to the Judiciary Committee.

By Mr. Scott of Alameda, for an Act to repeal an Act entitled an Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

GENERAL FILE.

Assembly bill No. 271, an Act to provide for the collection and publication of agricultural and other statistics of the State.

Mr. Wright offered the following amendment: Amend sections two and three, by striking out the following words wherever they occur in said sections—"the Secretary of the State Board of Agriculture," and insert the following words—"the Surveyor-General."

Adopted.

Mr. Wright also offered the following: Amend section two, lines twenty and twenty-one, by striking out all the words after the word "of," in line twenty, and inserting the following words—"any moneys in the General Fund not otherwise appropriated."

Adopted.

Mr. Wright also offered the following: Amend section three, line nine

and ten, by striking out the following words—"in connection with the report of transactions of the Board of Agriculture."

Adopted.

Mr McColliam offered the following: Strike out in section three all after the word "session," in line —.

Adopted.

The bill was then read third time, and passed.

Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six.

On motion of Mr. Dodson, the bill was considered line by line in connection with the amendments made in Committee of the Whole.

Section one was amended as follows:

In line eight, by striking out "twelve," and inserting "six."

In lines sixteen and seventeen, by adding "two thousand dollars for rewards for the apprehension of criminals outside the State."

Mr. Snyder moved to amend, by adding after "distributed," in line twenty-five, the words "which shall always be sent by mail."

Lost.

In line thirty-four, by striking out "two hundred"

In line thirty-eight, by striking out "five," and inserting "four."

Mr. Snyder moved to strike out in lines forty-one and forty-two, the words "four thousand four hundred," and insert "three thousand."

Adopted.

In line forty-nine, by striking out "eighty."

In line fifty-two, by adding "portage," after "and."

In lines sixty-three and sixty-four, strike out "six," and insert "four."

In line sixty-five, by striking out "one thousand," and inserting "five hundred."

In lines seventy-seven and seventy-eight, by striking out "four thousand eight hundred," and inserting "eight thousand four hundred"

Mr. Wright moved to amend, by striking out "eighteen," and inserting "twenty-four," in line ninety-seven, and to consider the same.

Further moved to go into Committee of the Whole.

Withdrawn.

Mr. Snyder moved to further amend, by adding "Porter," after "Bailliff," in line ninety-seven.

Adopted

In line ninety-eight, by striking out "four," and inserting "six."

The blank in line thirteen was filled by inserting "two hundred thousand dollars."

In line one hundred and sixteen, by striking out "eight," and inserting "six,"

In line one hundred and eighteen, by striking out "six hundred and eighty"

In lines one hundred and nineteen and one hundred and twenty, by striking out "ten thousand eight hundred," and inserting "eight thousand dollars."

In line one hundred and twenty-one, by striking out "six," and inserting "four."

In line one hundred and twenty-five, by striking out "six," and inserting "four."

In line one hundred and twenty-six, by striking out "four," and inserting "two."

In line one hundred and twenty-seven, by substituting therefor, as follows:

"For salaries and commissions of Stamp Inspectors, ninety-three hundred dollars.

"For contingent expenses of Stamp Inspectors' office, seven hundred dollars."

In line one hundred and thirty, by filling the blank with "forty-two thousand dollars."

In lines one hundred and thirty-one and one hundred and thirty-two, by filling the blank with "one hundred thousand dollars."

The Committee of the Whole proposed to amend in line one hundred and thirty-three, by striking out "thirty thousand dollars."

Mr. Redfield moved to amend, by substituting "twenty-five" for "thirty," in line one hundred and thirty-three.

On adopting the amendment to the amendment, the ayes and noes were demanded, by Messrs. Redfield, Littlefield, and Perley, and the House refused to adopt by the following vote:

AYES—Messrs. Allen, Beaman, Boulware, Brown of Tulare, Dickinson, Dyer, Hartsough, Hill, Hunt, Jenison, Kendrick, Littlefield, Lux, Perley, Perrin, Redfield, Rule, Smith of Nevada, Smith of Sonoma, Tukey, Van Schaick, Walker of Fresno, and Wason—23.

NOES—Messrs. Badlam, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Clayton, Devoe, Dodson, Dutton, Erkson, Fraser, Gray, Hittell, Hubbard, Hirst, Johnson, Langdon, McColliam, Parker, Sepulveda, Snyder, Sumner, Teare, Walker of Alameda, Watson, Weston, Winchester, Whallon, Wood, and Wright—31.

Mr. Weston offered to amend by striking out "thirty thousand dollars," and leaving the amount to be appropriated blank.

Adopted.

The amendment offered in committee, to amend section one by inserting after the one hundred and thirty-eighth line the following: "For translating the laws and public documents of the fifteenth session of the Legislature into the Spanish language, according to the provisions of an Act approved April twenty-seventh, eighteen hundred and sixty-three, a sum not exceeding twenty-five hundred dollars," was adopted.

Line one hundred and thirty-eight was stricken out.

Additional appropriations were adopted in Committee of the Whole, as follows:

1st—For the San Francisco Female Catholic Orphan Asylum, twelve thousand dollars;

2d—For the Magdalen Asylum, six thousand dollars;

3d—For the Male (Catholic) Orphan Asylum in Marin County, three thousand dollars;

4th—For the Roman Catholic Orphan Asylum of Los Angeles, four thousand dollars;

5th—For the support of the Roman Catholic Female Orphan Society in Santa Barbara, two thousand dollars;

6th—For the San Francisco Ladies' Protection and Relief Society, six thousand dollars;

7th—For the San Francisco Protestant Orphan Asylum Society, for the improvement of the Asylum grounds, fifteen thousand dollars;

8th—For the Home for the Care of the Inebriate, three thousand dollars.

Mr. Buffum proposed to amend the first proposition by striking out "twelve," and inserting "eight."

Lost.

Mr. Campbell of San Francisco moved to strike out "twelve," and insert "ten."

On which, the ayes and noes were demanded, by Messrs. Walker of Fresno, Whallon, and Tukey, and the amendment was adopted, by the following vote:

AYES—Messrs. Badlam, Beaman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dutton, Erkson, Fraser, Gray, Hill, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Ludlow, McColliam, Owen, Pratt, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Weston, Wilcox, Wilsey, Whallon, and Wood—51.

NOES—Messrs. Allen, Dow, Hartsough, Lux, Martin, Parker, Perley, Perrin, Winchester, and Wright—10.

On adopting the amendment as amended, the ayes and noes were demanded, by Messrs. Wright, Whallon, and Tukey, and the first proposition was adopted, by the following vote:

AYES—Messrs. Beaman, Brooks, Brown of Amador, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dutton, Erkson, Gray, Hill, Hittell, Hoag, Hubbard, Jenison, Kendrick, Kewen, McColliam, Owen, Pratt, Rule, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, and Whallon—34.

NOES—Messrs. Allen, Badlam, Boulware, Buffum, Campbell of El Dorado, Dodson, Dow, Dyer, Hartsough, Hirst, Johnson, Langdon, Ludlow, Lux, Martin, Parker, Perley, Perrin, Redfield, Scott of Alameda, Smith of Nevada, Sumner, Wason, Winchester, Wood, and Wright—26.

On motion of Mr. Wright, the second proposition was amended, by striking out "six," and inserting "five."

On its adoption, the ayes and noes were demanded, by Messrs. Boulware, Sumner, and Martin, and taken, with the following result:

AYES—Messrs. Badlam, Beaman, Brooks, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Devoe, Dickinson, Gray, Hill, Hittell, Hoag, Jenison, Kendrick, Kewen, McColliam, Owen, Pratt, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, and Whallon—31.

NOES—Messrs. Allen, Boulware, Buffum, Clayton, Dutton, Dyer, Erkson, Fraser, Hubbard, Hirst, Johnson, Langdon, Ludlow, Lux, Martin,

Perley, Perrin, Redfield, Scott of Alameda, Smith of Nevada, Sumner, Wason, Winchester, Wood, and Wright—25.

Mr. Campbell of San Francisco moved to strike out, in the third proposition "three thousand," and insert "twenty-five hundred."

Adopted.

On adopting the third proposition the ayes and noes were demanded, by Messrs. Martin, Cherry, and Tukey, and it was rejected, by the following vote :

AYES—Messrs. Badlam, Brown of Tulare, Campbell of San Francisco, Chappell, Cherry, Dickinson, Hill, Hittell, Hoag, Jenison, Kendrick, Kewen, McColliam, Owen, Pratt, Rule, Sepulveda, Smith of Sonoma, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, and Whallon—24.

NOES—Messrs. Allen, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Clark Clayton, Dodson, Dow, Dutton, Erkson, Hubbard, Hirst, Johnson, Langdon, Ludlow, Lux, Martin, Parker, Perley, Perrin, Redfield, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Teare, Van Schaick, Wason, Weston, Winchester, Wood, and Wright—35.

Mr. Boulware moved to amend the fourth proposition by striking out "four," and inserting "two."

On which, the ayes and noes were demanded, by Messrs. Sepulveda, Martin, and Sumner, and it was lost, by the following vote :

AYES—Messrs. Beaman, Boulware, Brooks, Brown of Amador, Campbell of El Dorado, Clayton, Erkson, Fraser, Gray, Hirst, Ludlow, Martin, Perrin, Redfield, Rule, Smith of Nevada, Snyder, Sumner, Van Schaick, Wason, Weston, and Wood—22.

NOES—Messrs. Allen, Badlam, Brown of Tulare, Campbell of San Francisco, Chappell, Cherry, Clark, Devoe, Dickinson, Dodson, Dow, Hill, Hittell, Hoag, Jenison, Johnson, Kendrick, Kewen, Langdon, Lux, McColliam, Owen, Parker, Perley, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, Winchester, Whallon and Wright—37.

Mr. Wright moved to amend by striking out "four thousand," and inserting "thirty-three hundred and thirty-three"

Lost.

On adopting the fourth proposition, the ayes and noes were demanded, by Messrs. Martin, Boulware, and Tukey, and it was adopted, by the following vote :

AYES—Messrs. Badlam, Brooks, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Chappell, Cherry, Clark, Devoe, Dickinson, Dutton, Gray, Hill, Hittell, Hoag, Jenison, Johnson, Kendrick, Kewen, McColliam, Owen, Pratt, Rule, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, and Whallon—33.

NOES—Messrs. Allen, Beaman, Boulware, Campbell of El Dorado, Clayton, Dodson, Dow, Erkson, Fraser, Hubbard, Hirst, Langdon, Ludlow, Martin, Parker, Perley, Perrin, Redfield, Smith of Nevada, Snyder, Sumner, Van Schaick, Wason, Weston, Winchester, Wood, and Wright—27.

The fifth proposition was adopted.

Mr. Campbell of San Francisco moved to strike out "six," and insert "five," in the sixth proposition.

The amendment was lost.

The original proposition was adopted.

The seventh proposition was adopted.

Mr. Gray moved to amend the eighth proposition by striking out "three thousand," and inserting "twenty-five hundred."

Lost.

Mr. Buffum moved to reconsider the vote just taken.

The motion prevailed.

Mr. Wright renewed the motion of Mr. Gray.

The motion was adopted.

The eighth proposition, as amended, was adopted.

Section three, line three, was amended by striking out "nor shall the sum appropriated to the State Insane Asylum."

Mr. Hubbard moved to amend section three, line six, by striking out all after the words "fifty-eight."

Adopted

Mr. Dodson moved to recommit the bill to the Committee on Ways and Means, with instructions to strike out all relating to appropriations to charitable institutions, and report a separate bill therefor, and recommend the passage thereof.

Mr. Owen moved the previous question.

On ordering the same, Messrs. Van Schaick, Winchester, and Scott of Alameda, demanded the ayes and noes, and it was sustained by the following vote:

AYES—Messrs. Allen, Beaman, Brooks, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Fraser, Gray, Hittell, Jenison, Kendrick, Ludlow, Lux, Martin, McColliam, Owen, Perley, Perrin, Pratt, Redfield, Rule, Scott of Alameda, Smith of Nevada, Teare, Walker of Alameda, Weston, Wilcox, Wilsey, Winchester, Wood, and Wright—35.

NOES—Messrs. Badlam, Boulware, Campbell of San Francisco, Hill, Hubbard, Hirst, Langdon, Sepulveda, Smith of Sonoma, Snyder, Sumner, Tukey, Van Schaick, Walker of Fresno, Wason, and Whallon—16.

On adopting the motion of Mr. Dodson, the ayes and noes were demanded, by Messrs. Dodson, Winchester, and Ludlow, and it was rejected by the following vote:

AYES—Messrs. Allen, Boulware, Campbell of El Dorado, Dodson, Dow, Dyer, Erksen, Fraser, Hirst, Langdon, Ludlow, Lux, Martin, Perley, Perrin, Redfield, Scott of Alameda, Smith of Nevada, Sumner, Van Schaick, Wason, Winchester, and Wright—23.

NOES—Messrs. Badlam, Beaman, Brooks, Brown of Tulare, Buffum, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dutton, Gray, Hill, Hittell, Hoag, Hubbard, Jenison, Johnson, Kendrick, McColliam, Owen, Pratt, Rule, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, and Whallon—35.

The bill was then ordered engrossed and read third time.

On motion of Mr. Wilcox, at five o'clock and thirty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 12th, 1864. }

House met pursuant to adjournment.
Speaker in the Chair.
Roll called.
Quorum present.
Prayer by the Chaplain.
Journal of yesterday read and approved.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 387, an Act to repeal an Act entitled an Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek, approved April twenty-fifth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report:

MR. SPEAKER:—The Committee on Commerce and Navigation, to whom was referred Senate bill No. 226, an Act to provide for collecting wharfage in Napa City, have had the same under consideration, and report it back, and recommend its passage;

Also Assembly bill No. 204, an Act to authorize the sale and conveyance to the Pacific Glass Works of certain Overflowed Lands in the City and County of San Francisco, have had the same under consideration, and report the same back without recommendation.

HUNT, Chairman.

The rules were suspended, and Senate bill No. 226, above reported, read third time, and passed.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:—The Committee on Claims, to whom was referred Senate bill No. 186, an Act for the relief of Isaac F. Baker, Tax Collector of District Number Four, in and for Tuolumne County, report the same back, and recommend its passage;

Also, Assembly bill No. 363, an Act to pay the claim of E. C. Palmer, for rent and stationery, report the same back, and recommend its passage;

Also, Senate bill No. 118, an Act supplementary to an Act to audit and allow the claim of T. J. A. Chambers, approved April twenty-fifth, eighteen hundred and sixty-two, report the same back, and recommend its passage.

CAMPBELL of El Dorado, Chairman.

Mr. Lux made the following report :

Mr. SPEAKER :—The Tuolumne delegation, to whom was referred Senate bill No. 254, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three, have had the same under consideration, made amendments thereto, and recommend its passage as amended.

LUX, for Delegation.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
March 11th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the ninth instant, passed Senate bill No. 311, an Act supplementary to an Act concerning the office of County Clerk of Placer County, approved February twenty-fifth, eighteen hundred and fifty-five ;

Also, on the seventeenth ultimo, passed Senate bill No. 127, an Act amendatory of the Act regulating proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one, and of the Acts amendatory thereof ;

Also, on the tenth instant, passed Assembly bill No. 375, an Act to authorize the Board of Supervisors of Siskiyou County to transfer certain funds belonging to the County Hospital General Fund to the School Fund.

CHAS. WESTMORELAND,
Secretary.

Senate bill No. 311, above reported, read first and second times, and referred to the Placer delegation.

Senate bill No. 127, above reported, read first and second times, and referred to the Judiciary Committee.

According to previous notice, Mr. Hittell offered the following as an additional rule :

STANDING RULE NUMBER SEVENTY-NINE.

The General File shall be the special order for eleven o'clock A. M. on every Tuesday and Friday, and shall take precedence of all other special orders. At that hour on those days the General File shall be taken up under this rule, and after the Clerk shall have read the title of each bill in its order, the Speaker shall inquire whether there is any objection to the bill or to any amendment to it, and shall request the objectors to rise to their feet. If three or more members rise to their feet, the bill shall be passed and left at the same place on the file without debate ; and if there be not three or more objectors, the bill shall be considered. This rule shall not be suspended more than five minutes unless by unanimous consent.

Adopted.

GENERAL FILE.

Assembly bill No. 103, an Act to prohibit gaming.

On motion of Mr. Wood, the bill was considered by sections.

The amendments to section one reported by the committee were adopted.

Mr. Wilcox moved to amend by adding the words "to sell or" at the end of line four in section one

On which, Messrs. Wilcox, Lux, and Martin, demanded the ayes and noes, which were taken, with the following result :

AYES—Messrs. Alley, Brown of Tulare, Campbell of San Francisco, Castro, Chappell, Dickinson, Dodson, Dyer, Hill, Hoag, Hunt, Hirst, Kewen, Langdon, Littlefield, Lux, Parker, Sepulveda, Snyder, Teare, Tukey, Walker of Fresno, Wilcox, Wiley, Wilsey, and Wright—26.

NOES—Messrs. Allen, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Cherry, Clayton, Devoe, Dow, Dutton, Erkson, Fraser, Gray, Hartsough, Hittell, Johnson, Kendrick, Ludlow, Martin, McColliam, Mebius, Owen, Perley, Perrin, Redfield, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Whallon, and Wood—39.

Mr. Van Schaick moved to amend, by inserting the word "other," after "or," in the third line, and by striking out the words "of chance," in the third line.

Adopted.

The amendments to sections two and three, reported by committee, were adopted.

Mr. Wilcox moved to amend section three, line three, by inserting after the word "her," the words "whether such building be a hotel, store, private house, or club house."

Lost.

Mr. Wright moved to amend section three, by adding after "owned," in line three, the words "or occupied."

Adopted.

Mr. Wilcox moved to further amend, by adding after "building," in line two, the words "steamboat or vessel."

On which, the ayes and noes were demanded, by Messrs. Dodson, Wilcox, and Beaman, and the amendment was adopted, by the following vote :

AYES—Messrs. Alley, Badlam, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Clark, Dickinson, Dodson, Erkson, Fraser, Hill, Hoag, Hirst, Jenison, Kewen, Langdon, Lux, Mebius, Parker, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Fresno, Watson, Wilcox, Wiley, Wilsey, Winchester, and Wright—36.

NOES—Messrs. Beaman, Boulware, Buffum, Cherry, Clayton, Devoe, Dow, Dutton, Gray, Hartsough, Hittell, Johnson, Kendrick, Ludlow, Martin, McColliam, Owen, Perley, Perrin, Redfield, Rule, Scott of Alameda, Smith of Nevada, Van Leuven, Van Schaick, Walker of Alameda, Wason, Weston, and Wood—29.

Mr. Boulware moved to amend, by striking out in line five, "one thousand," and inserting "three hundred."

Lost.

Mr. Dodson moved to strike out "knowingly," in line one, section three.

Lost.

The committee amendments to section four were adopted.

Mr. Winchester offered the following amendment to section four: To strike out the words "of chance," and insert the word "other," before the word "game."

To which, Mr. Hirst offered the following substitute: Amend section four, line three, as follows—after the word "banking," insert the words "or other," and after the word "game," strike out "or game of chance."

Lost.

Mr. Langdon offered the following substitute: Strike out "banking game or games of chance," and insert "of the games aforesaid."

Adopted.

The committee amendments to section five were adopted.

Mr. Winchester moved to amend section five, by striking out in lines four and five, "banking game or games of chance," and inserting "of the games as aforesaid."

Adopted.

Mr. Dow offered to amend as follows: In line five, strike out "of chance," and insert "other" before "game."

Lost.

Mr. Van Leuven offered the following: Amend section five, second line, after the word "officer," insert "who shall arrest."

Lost.

Mr. Campbell of San Francisco moved to amend section six, by striking out "or otherwise," in line two.

Adopted.

Mr. Dodson moved to adjourn.

Lost.

Mr. Teare moved to reconsider the vote whereby section six, offered by the committee, was adopted.

Lost.

On motion of Mr. Chappell, the further consideration of the bill was postponed until Tuesday, for which day it was ordered to top of the General File.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 206, an Act to authorize R. C. Kirby and others to construct and maintain a turnpike road from the Town of Santa Cruz to a point near the line of the San Francisco and San José Railroad, and to charge and collect tolls thereon;

Also, Assembly bill No. 45, an Act for the better protection of the agricultural interests in certain counties in this State, and the more effectual prevention of the trespassing of animals upon private property;

Also, Assembly bill No. 164, an Act amendatory of and supplemental to an Act entitled an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three;

And on this the twelfth day of March, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

Mr. SPEAKER:—The Judiciary Committee, to whom was referred Senate bill No. 244, an Act supplementary to an Act entitled an Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to compromise and settle certain claims to real estate, and to convey such real estate pursuant thereto, passed April fourteenth, A. D. eighteen hundred and sixty-two, and report the same back, with a recommendation of its passage;

Also, Senate bill No. 259, an Act to amend an Act entitled an Act concerning the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty, and recommend the passage of the same;

Also, Assembly bill No. 386, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three, and report it back, with a recommendation of its passage;

Also, Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three, and recommend its passage without amendment.

CAMPBELL of San Francisco, Chairman.

Mr. Campbell of San Francisco presented a petition from J. C. Pinkham and others, relative to the sale of certain lands to the Potrero Land Association.

Referred to the Committee on Commerce and Navigation.

Mr. Cherry had leave to introduce a bill for an Act to authorize John S. Williams, his associates and assigns, to construct floating dry docks, and the necessary breakwaters to protect the same, in the harbor of the City and County of San Francisco.

Read first and second times, and referred to the Committee on Commerce and Navigation.

GENERAL FILE RESUMED.

Assembly bill No. 386, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 110, an Act authorizing the Board of Supervisors of Sierra County to provide for the construction of certain wagon roads in Sierra County—amendments adopted, rules suspended, read third time, and passed.

Senate bill No. 176, an Act relative to the office of District Attorney of the County of Sacramento—read third time, and passed.

Senate bill No. 188, an Act to fix the terms of the County Court and Probate Court of the County of Sacramento—read third time, and passed.

Senate bill No. 199, an Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—rules suspended, read third time, and passed.

Senate bill No. 187, an Act to amend an Act entitled an Act providing for the government of the County of Sacramento—rules suspended, read third time, and passed.

Assembly bill No. 266, an Act amendatory of and supplementary to

an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—indeinitely postponed.

Assembly bill No. 106, an Act in relation to roads and Road Masters in Solano County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 339, an Act granting further powers to the Board of Supervisors of the County of Sacramento—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 344, an Act to change the name of Frances Anne Blackwell to Frances Anne Hopper—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 335, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved March third, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 210, an Act concerning the recording of certificates of incorporation, and the arrangement of the archives of State in the Secretary of State's office—rules suspended, read third time, and passed.

Senate bill No. 192, an Act concerning the office of Auditor of the County of Sacramento—recommitted to Sacramento delegation.

Assembly bill No. 67—returned to file.

Assembly bill No. 331—returned to file.

Senate bill No. 178, an Act for the relief of the State Agricultural Society.

The previous question was sustained.

On motion of Mr. Wilcox, the rules were suspended.

On the third reading and passage of the bill, the ayes and noes were demanded, by Messrs. Watson, Badlam, and Beaman, and taken, with the following result:

AYES—Messrs. Badlam, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Cherry, Clark, Dickinson, Dodson, Erkson, Fraser, Hartsough, Hirst, Johnson, Kewen, Langdon, Littlefield, Lux, Mobius, Parker, Perrin, Redfield, Scott of Siskiyou, Sepulveda, Smith of Nevada, Teare, Van Schaick, Walker of Fresno, Wason, Weston, Wilcox, Wilsey, Winchester, Whallon, and Wright—37.

NOES—Messrs. Devoe, Dutton, Dyer, Hittell, Martin, Perley, Scott of Alameda, Snyder, Van Leuven, Walker of Alameda, and Watson—11.

And so the bill passed.

Mr. Badlam gave notice of a motion to reconsider.

Assembly bill No. 322, an Act to provide for taking the State census—the amendments reported by committee were adopted, rules suspended, considered engrossed.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Snyder, Wason, and Dutton, and the bill passed, by the following vote:

AYES—Messrs. Badlam, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Cherry, Clark, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Hartsough, Hittell, Jenison, Johnson, Langdon, Lux, Martin, Mobius, Parker, Perley, Perrin, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Teare, Van Leuven, Van Schaick,

Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, Whallon, and Wright—41.

NOES—Messrs. Beaman, Hirst, Littlefield, Redfield, Scott of Siskiyou, Snyder, and Walker of Fresno—7.

Assembly bill No. 238, an Act authorizing Joseph Galloway and his associates to build a dry dock—indefinitely postponed.

Assembly bill No. 330, an Act to improve the navigation of the Mokelumne River—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 322, an Act to provide for taking the State census—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 340, an Act to amend an Act entitled an Act amendatory of and supplementary to the Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, approved April twenty-second, A. D. eighteen hundred and fifty-eight—read third time, and passed.

Senate bill No. 144, an Act concerning suits wherein the State is a party—rules suspended, read third time, and passed.

Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers for the year eighteen hundred and sixty-four.

Mr. Dodson moved to place the bill at top of file for Tuesday.

Adopted.

Mr. Hartsough moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Wright, Weston, and Winchester, and at three o'clock and forty minutes P. M., the House adjourned, by the following vote :

AYES—Messrs. Beaman, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Cherry, Devoe, Dodson, Fraser, Hartsough, Jenison, Littlefield, Martin, Parker, Perley, Redfield, Rule, Scott of Siskiyou, Sumner, Teare, Watson, Wilsey, Winchester, and Wright—24

NOES—Messrs. Badlam, Boulware, Clark, Dutton, Gray, Hittell, Hirst, Johnson, Langdon, Perrin, Scott of Alameda, Smith of Nevada, Tukey, Van Leuven, Walker of Alameda, Wason, Weston, and Whallon—18.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 14th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Leave of absence for one day each was granted to all absentees.

Journal of Saturday last read and approved

Mr. Dodson moved to reconsider the vote whereby Senate bill No. 178,

an Act for the relief of the State Agricultural Society, was passed by the House, on the eleventh instant.

Mr. Wilcox moved to indefinitely postpone the motion to reconsider.

Mr. Walker of Alameda moved to postpone until to-morrow, at eleven o'clock A. M.

Mr. Wright moved the previous question.

Sustained.

The motion to postpone till to-morrow was lost.

On the motion to indefinitely postpone the motion to reconsider, Messrs. Badlam, Scott of Alameda, and Hittell, demanded the ayes and noes, which were taken, with the following result :

AYES—Messrs. Allen, Beaman, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Cherry, Clark, Dickinson, Dodson, Erkson, Hartough, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Ludlow, Lux, Mebius, Parker, Perley, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Sumner, Teare, Van Leuven, Van Schaick, Wason, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wright—41.

NOES—Messrs. Badlam, Brown of Tulare, Devoe, Dow, Dutton, Gray, Hittell, Hoag, Littlefield, Perrin, Personette, Redfield, Scott of Alameda, Snyder, Walker of Alameda, Walker of Fresno, and Watson—17.

PETITIONS.

Mr. Devoe presented a petition from occupants of public lands in the Town of Branciforte, Santa Cruz County, asking for the passage of a bill to settle land titles in that town.

Referred to the Judiciary Committee.

Mr. Johnson presented a petition from Frederick A. Stanhope, and a memorial from the officers and guards of the State Prison, asking for an appropriation for the relief of said Stanhope.

Referred to the Committee on Claims.

Mr. Sumner presented a petition from citizens of Butte County, for the repeal of the Specific Contract Law.

Referred to the Judiciary Committee.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 339, an Act granting further powers to the Board of Supervisors of the County of Sacramento ;

Also, Assembly bill No. 344, an Act to change the name of Frances Anne Blackwell to Frances Anne Hopper ;

Also, Assembly bill No. 386, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, A. D. eighteen hundred and sixty-four, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-six.

DYER, Chairman.

Mr. Snyder made the following report :

MR. SPEAKER :—The Placer County delegation, to whom was referred Senate bill No 311, an Act supplementary to an Act concerning the office of County Clerk of Placer County, approved February twenty-fifth, eighteen hundred and fifty-eight, have had the same under consideration, report the same back, and recommend its passage.

WINCHESTER,
SNYDER.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 12th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 328, an Act to amend an Act entitled an Act to incorporate the Town of Eureka, Humboldt County, approved April ninth, eighteen hundred and fifty-nine ;

Also, Assembly bill No. 293, an Act to amend an Act entitled an Act to provide for the funding of the indebtedness of the County of Mendocino, approved April nineteenth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 353, an Act supplemental to an Act entitled an Act to authorize the payment of the claim of John T. Diossy, for collating and compiling the revenue laws of the State, approved March second, eighteen hundred and sixty-four.

FRED'K F. LOW,
Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
March 12th, 1864 }

MR. SPEAKER :—The Senate, on the twenty-ninth day of February, adopted Senate bill No. 291, as a substitute for Assembly bills Nos. 15, 32, and 33, Acts relating to the support of paupers, and this day the Senate indefinitely postponed the said substitute.

A. W. BISHOP,
Assistant Secretary.

Mr. Lux gave notice of the introduction of a bill for an Act to license gaming.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Devoe, for an Act to settle the title to lands in the Village and Town of Branciforte on the Public Lands in the County of Santa Cruz.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Campbell of San Francisco, for an Act to amend an Act entitled an Act to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved

May ninth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Campbell of El Dorado, for an Act to improve the North Fork of the Carson River.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Badlam, for an Act to authorize Samuel Brannan to convey certain lands for cemetery purposes in the City and County of Sacramento.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Dyer, for an Act supplementary to an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Cherry, for an Act to amend an Act to provide for a street railroad within the City and County of San Francisco, and other matters relating thereto, approved April twenty-first, eighteen hundred and sixty-three.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Wilsey, for an Act to amend an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Scott of Siskiyou, for an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, ordered printed, and to top of file for Friday, March eighteenth, eighteen hundred and sixty-four.

By Mr. Wiley, for an Act to provide for the construction of additional cells at the State Prison.

Read first and second times, and referred to the State Prison Committee.

By Mr. Kowen, for an Act to amend an Act supplementary to an Act to amend an Act to prevent the trespassing of animals upon private property, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and placed on file.

Mr. Lux offered the following resolution :

Resolved, That from and after the twenty-fifth day of March, eighteen hundred and sixty-four, no more new business shall be permitted to be introduced, without the consent of three fourths of the members of this House.

Adopted.

The Speaker presented a communication from the Sisters of Mercy of

Sacramento, making a statement concerning the Institution for the care of the Half Orphans, under their charge.

The communication was read, and referred to the Committee on Ways and Means.

GENERAL FILE.

Assembly bill No. 331, an Act to abolish the office of State Gauger.

On the question to order the bill engrossed, the House refused to so order.

Mr. Winchester gave notice of a motion to reconsider.

Assembly bill No. 291, an Act to extend an Act concerning hogs found running at large in certain counties of this State—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 149, an Act to perfect the title to the Van Ness lands—indefinitely postponed.

Senate bill No. 186, an Act amendatory of and supplemental to an Act entitled an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—amended, rules suspended, read third time, and passed.

Assembly bill No. 346, an Act to amend an Act entitled an Act changing the time for assessing the value of real and personal property and collecting the taxes thereon for State and county purposes in the County of Sierra, approved April tenth, eighteen hundred and sixty-two—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 327, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one—ordered engrossed.

Senate bill No. 214, an Act to provide for the payment of a judgment recovered in favor of John Dunn against the City of San Francisco—rules suspended, read third time, and passed.

Assembly bill No. 17, proposed amendments to the Constitution.

Mr. Wright moved to indefinitely postpone the bill.

On which, the roll was called, with the following result :

AYES—Messrs. Allen, Beaman, Brown of Amador, Buffum, Campbell of San Francisco, Castro, Cherry, Clark, Devoe, Dickinson, Dodson, Dow, Dyer, Hartsough, Hoag, Hunt, Johnson, Langdon, Ludlow, Martin, Mebius, Parker, Perley, Personette, Rule, Scott of Siskiyou, Smith of Nevada, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wright—39.

NOES—Messrs. Dutton, Gray, Hittell, Scott of Alameda, and Wason—5.

Assembly bill No. 90, proposed amendments to the Constitution.

Mr. Wiley moved its indefinite postponement.

On which, the ayes and noes were taken, with the following result :

AYES—Messrs. Allen, Badlam, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Cherry, Clark, Devoe, Dickinson, Erksou, Gray, Hoag, Johnson, Langdon, Ludlow, Mebius, Perley, Personette, Rule, Scott of Siskiyou, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wright—36.

NOES—Messrs. Dow, Dutton, Hartsough, Hittell, Perrin, and Scott of Alameda—6.

Assembly bill No. 31, proposed amendment to section three, Article Two, of the Constitution.

On the motion of Mr. Walker of Alameda to indefinitely postpone the bill, the ayes and noes were called, and taken, with the following result:

AYES—Messrs. Allen, Badlam, Beaman, Brooks, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro, Cherry, Clark, Devoe, Dickinson, Dodson, Dutton, Dyer, Erkson, Gray, Johnson, Kewen, Langdon, Ludlow, Lux, Mebius, Parker, Perley, Sepulveda, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Weston, Wiley, Wilsey, Winchester, and Wright—38.

NOES—Messrs. Dow, Hartsough, Hittell, Martin, McColliam, Perrin, Rule, Scott of Alameda, Smith of Nevada, Wason, and Watson—11.

Assembly bill No. 109, constitutional amendments.

Mr. Wright moved its indefinite postponement.

The ayes and noes being taken, the bill was indefinitely postponed, by the following vote:

AYES—Messrs. Allen, Beaman, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro, Clark, Devoe, Dickinson, Dodson, Dow, Dutton, Erkson, Gray, Hittell, Johnson, Kewen, Langdon, Ludlow, Perley, Personette, Sepulveda, Smith of Nevada, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Weston, Wiley, Wilsey, Winchester, and Wright—35.

NOES—Messrs. Badlam, Hartsough, Martin, Scott of Alameda, and Watson—5.

Senate bill No. 245, an Act to authorize the City and County of San Francisco to convey certain real estate to the State of California—rules suspended, read third time, and passed.

Assembly bill No. 288, an Act amendatory of an Act to regulate marriages, passed April twenty-second, eighteen hundred and fifty—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 119, an Act to amend an Act entitled an Act for the observance of the Sabbath, approved May twentieth, eighteen hundred and sixty-one.

The first amendment reported by the Committee on Public Morals was lost.

On the adoption of the second committee amendment, the ayes and noes were demanded, by Messrs. Weston, Beaman, and Sumner, and the vote was taken, with the following result:

AYES—Messrs. Allen, Beaman, Brown of Tulare, Cherry, Clark, Devoe, Dickinson, Dyer, Hittell, Hoag, Hirst, Jenison, Johnson, Kewen, Lux, Mebius, Personette, Rhoads, Scott of Siskiyou, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Wason, Weston, Wilcox, Wilsey, Whallon, and Wright—29.

NOES—Messrs. Brooks, Buffum, Campbell of El Dorado, Dow, Dutton, Erkson, Gray, Hartsough, Langdon, Littlefield, Ludlow, Martin, Parker, Perley, Perrin, Redfield, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Schaick, Watson, and Winchester—24.

Mr. Watson moved to amend, by inserting at the end of line three of section second, the words "undertakers' establishments."

Adopted.

Mr. Wright moved the previous question.

Sustained.

On Mr. Wilcox's motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Wilcox, Perley, and Martin, and taken, with the following result:

AYES—Messrs. Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Clark, Devoe, Dickinson, Dow, Dyer, Erkson, Hartsough, Hittell, Hoag, Hunt, Hirst, Kewen, Langdon, Mebius, Personette, Rule, Scott of Siskiyou, Smith of Sonoma, Snyder, Sumner, Teare, Walker of Fresno, Watson, Weston, Wilcox, and Wilsey—32.

NOES—Messrs. Allen, Brooks, Buffum, Dutton, Gray, Jenison, Johnson, Littlefield, Ludlow, Martin, Perley, Perrin, Rhoads, Scott of Alameda, Smith of Nevada, Tukey, Walker of Alameda, Wason, Winchester, and Wright—20.

Senate bill No. 240, an Act to extend the provisions of certain Acts to Township Number Four, in Amador County—rules suspended, read third time, and passed.

Senate bill No. 143, an Act to legalize a certain contract between D. R. Ashley, late State Treasurer, and Wells, Fargo & Co.

Mr. Campbell of San Francisco moved to indefinitely postpone the bill.

On which, Messrs. Martin, Campbell, and Hittell, demanded the ayes and noes, which were taken, with the following result:

AYES—Messrs. Allen, Beaman, Brooks, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Clark, Devoe, Dickinson, Dodson, Dutton, Erkson, Fraser, Hubbard, Hirst, Jenison, Kendrick, Langdon, Littlefield, Ludlow, Perley, Personette, Rhoads, Rule, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Whallon, and Wright—37.

NOES—Messrs. Gray, Hittell, Martin, Redfield, and Wason—5.

On motion of Mr. Tukey, the House took from its regular order on the file Senate bill No. 330, an Act to provide for the liquidation of the indebtedness of the City of Sacramento which accrued prior to January first, eighteen hundred and fifty-nine—rules suspended, bill read third time, and passed.

Assembly bill No. 323, an Act to enforce the collection of poll taxes—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 184, an Act to repeal a portion of an Act entitled an Act concerning Courts of justice of this State, and judicial officers—indefinitely postponed.

Senate bill No. 103, an Act relating to appeals—rules suspended, read third time, and passed.

Assembly bill No. 61, an Act to amend the election law, and to establish a uniform system of registry throughout the State—ordered to top of file for Wednesday, March sixteenth.

Assembly bill No. 115, an Act to provide for the collating, compiling, and digesting, the laws of the State of California—ordered to the top of the file for Wednesday, March sixteenth.

Assembly bill No. 333, an Act to provide a Commission to codify the laws of this State—ordered to the top of the file for Wednesday, March sixteenth.

Assembly bill No. 347, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-eighth, eighteen hundred and sixty—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 362, an Act concerning dogs—amended.

Mr. Wiley moved the indefinite postponement of the bill.

Mr. Wilcox called for the previous question.

Sustained.

On the motion to indefinitely postpone the bill, the ayes and noes were demanded, by Messrs. Wright, Winchester, and Perley, and the roll was called, with the following result :

AYES—Messrs. Allen, Beaman, Brown of Amador, Brown of Tulare, Dickinson, Hubbard, Jenison, Kendrick, Littlefield, Perley, Personette, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Tukey, Van Schaick, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wiley, and Whallon—27.

NOES—Messrs. Brooks, Campbell of El Dorado, Campbell of San Francisco, Cherry, Clark, Devoe, Dodson, Dow, Dutton, Fraser, Gray, Hittell, Hirst, Johnson, Langdon, Ludlow, Lux, Martin, Redfield, Smith of Nevada, Sumner, Teare, Wason, Wiley, Winchester, and Wright—26.

At four o'clock and fifty minutes p. m., Mr. Whallon moved that the House adjourn.

On which, the ayes and noes were demanded, by Messrs. Dodson, Perrin, and Perley, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Brooks, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Cherry, Dickinson, Dutton, Dyer, Fraser, Jenison, Johnson, Kendrick, Littlefield, Martin, Mobius, Personette, Redfield, Rhoads, Rule, Scott of Siskiyou, Smith of Sonoma, Snyder, Sumner, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, Whallon, and Wright—32.

NOES—Messrs. Beaman, Clark, Devoe, Dodson, Dow, Erkson, Gray, Hubbard, Hirst, Langdon, Ludlow, Lux, Perrin, Scott of Alameda, Smith of Nevada, Teare, Van Schaick, Wason, Weston, Wiley, and Winchester—22.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 15th, 1864 }

House met pursuant to adjournment.

Speaker in the Chair

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Hittell moved to reconsider the vote by which the House, on yesterday, refused to pass Assembly bill No. 331, an Act to abolish the office of State Gauger.

On which, the ayes and noes were demanded, by Messrs. Hittell, Winchester, and Beaman, and the motion to reconsider was sustained, by the following vote :

AYES—Messrs. Badlam, Bowman, Brooks, Brown of Amador, Buffum, Castro, Clark, Clayton, Devoe, Dow, Erkson, Fraser, Green, Hartsough, Hill, Hittell, Hoag, Hunt, Jenison, Johnson, Langdon, Littlefield, Martin, Owen, Perley, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Teare, Van Leuven, Watson, Winchester, and Wright—37.

NOES—Messrs. Allen, Alley, Beaman, Campbell of San Francisco, Dickinson, Dodson, Hirst, Kendrick, Kewen, Ludlow, Lux, Mebius, Parker, Personette, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Tukey, Walker of Alameda, Wason, Weston, Wilcox, and Wilsey—24.

Mr. Wright moved to suspend the rules and place the bill on its passage.

Lost.

On the question to order the bill to engrossment and third reading, the ayes and noes were demanded, by Messrs. Beaman, Redfield, and Winchester, and the House so ordered by the following vote :

AYES—Messrs. Badlam, Bowman, Brooks, Brown of Amador, Castro, Clark, Clayton, Devoe, Dow, Dutton, Erkson, Fraser, Green, Hartsough, Hittell, Hoag, Hunt, Jenison, Johnson, Langdon, Littlefield, Martin, McColliam, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Snyder, Teare, Van Leuven, Watson, Winchester, and Wright—37.

NOES—Messrs. Allen, Alley, Beaman, Brown of Tulare, Buffum, Campbell of San Francisco, Cherry, Dickinson, Dodson, Hill, Hirst, Kendrick, Kewen, Ludlow, Lux, Mebius, Sepulveda, Smith of Sonoma, Sumner, Tukey, Walker of Alameda, Wason, Weston, Wilcox, and Wilsey—25.

PETITIONS.

Mr. Wilcox presented a petition of miners of California, for an amendment of the corporation laws of the State, requiring all advertisements of organized or incorporated mining companies having offices in this State to be published in one weekly journal of San Francisco or Sacramento.

Read and referred to the Committee on Mines and Mining Interests.

Mr. McColliam presented a petition of citizens of San Francisco, asking the Legislature to grant to the San Francisco Cordage Company the right to purchase a piece of land on which to construct a wharf to deep water on the Bay of San Francisco.

Referred to the Committee on Commerce and Navigation.

REPORTS.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

Mr. SPEAKER:—The Committee on Ways and Means, to whom was referred Assembly bill No. 310, an Act making appropriations for deficiencies in the appropriations made for the fifteenth fiscal year, have had the same under consideration, and ask leave to report it back amended, and recommend its passage as amended;

Also, Assembly bill No. 277, an Act to amend the revenue law, and recommend that it pass.

ALLEN, Chairman.

Mr. Wilsey, Chairman of the Committee on Corporations, made the following report:

Mr. SPEAKER:—Your Committee on Corporations, to whom was referred Assembly bill No. 394, an Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, have had the same under consideration, and would respectfully report the same back, and recommend its passage;

Also, Senate bill No. 227, an Act to amend an Act for the regulation of the telegraph, and to secure secrecy and fidelity in the transmission of telegraphic messages, report the same back, and recommend its passage;

Also, Assembly bill No. 343, an Act relative to chattel mortgages on stock of incorporated companies, have had the same under consideration, and report the same back, with recommendation of indefinite postponement;

Also, Assembly bill No. 332, an Act to amend an Act entitled an Act to authorize the formation of corporations for the construction of plank and turnpike roads, have had the same under consideration, and report the same back, and recommend its passage.

WILSEY, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 106, an Act in relation to roads and Road Masters in Solano County;

Also, Assembly bill No. 291, an Act to extend an Act concerning hogs found running at large in certain counties in this State;

Also, Assembly bill No. 323, an Act to enforce the collection of poll taxes;

Also, Assembly bill No. 335, an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved March third, eighteen hundred and sixty-three;

Also, Assembly bill No. 340, an Act to amend an Act entitled an Act amendatory of and supplementary to an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, and approved April twenty-second, eighteen hundred and fifty-eight;

Also, Assembly bill No. 322, an Act to provide for the taking of the State census;

Also, Assembly bill No. 330, an Act to improve the navigation of the Mokelumne River.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 391, an Act to authorize Samuel Brannan to convey certain lands for cemetery purposes in the City and County of Sacramento, report the same back, with recommendation of its passage;

Also, Senate bill No. 127, an Act amendatory of the Act regulating proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one, and of the Acts amending the same, and recommend the passage thereof;

Also, Assembly bill No. 374, an Act to amend an Act entitled an Act to authorize the sale of certain real estate by Guardians, approved April eleventh, eighteen hundred and sixty, with recommendation of its passage;

Also, Assembly bill No. 203, an Act for the relief of John Wigmore, report the same back with a substitute, and recommend the passage of the substitute;

Also, Assembly bill No. 341, an Act concerning mortgages, with recommendation of its indefinite postponement;

Also, Assembly bill No. 350, an Act to provide for the support of the privilege of free suffrage during the continuance of the war, with recommendation of its passage.

CAMPBELL of San Francisco. Chairman.

Assembly bill No. 350, above reported, was, on motion of Mr. Campbell of San Francisco, considered.

Mr. Martin moved to suspend the rules, consider the bill engrossed, and place it upon its passage.

The House so ordered.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Martin, Kewen, and Sepulveda, and the bill passed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Buffam, Campbell of El Dorado, Campbell of San Francisco, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hartsough, Hittell, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Louven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, Wood, Wright, and Mr. Speaker—61.

NOES—Messrs. Brown of Tulare, Dickinson, Hoag, Kendrick, Kewen, Sepulveda, Smith of Sonoma, and Walker of Fresno—8.

RESOLUTIONS.

Mr. Hunt offered the following resolution:

Resolved, That a committee of five be appointed by the Speaker to make inquiries and report to the House if there has been culpable negligence or wilful crime in the recent destruction of the battery of field

pieces, the property of the State, by fire, in this city, on the night of the fourteenth instant.

Laid on the table.

Mr. Wilcox offered a concurrent resolution relative to the publication, by the Secretary of State, of certain documents therein designated.

Adopted.

Mr. Hunt offered a concurrent resolution relative to the destruction of a battery of field pieces on the night of the fourteenth instant.

Adopted.

GENERAL FILE.

Assembly bill No. 348, an Act to change the name of Charles Erastus Coy to Charles Lyman Snow—rules suspended, considered engrossed, read third time, and passed.

Assembly concurrent resolution No. 33, relative to the compensation to officers and men in the service of the United States.

Mr. Campbell of San Francisco moved to amend by striking out all after "will," in the eighth line, and inserting "add thirty per cent on the whole amount received and to be received while the present rates of salary and pay continue."

Adopted.

On a motion to indefinitely postpone the resolution, the ayes and noes were demanded, by Messrs. Hubbard, Snyder, and Weston, and the House refused to indefinitely postpone, by the following vote:

AYES—Messrs Buffum, Cherry, Devoe, Dodson, Dutton, Erkson, Gray, Green, Martin, Perley, Perrin, Redfield, Sumner, Walker of Alameda, Weston, Wilcox, Winchester, and Wright—18.

NOES—Messrs. Badlam, Beaman, Brown of Amador, Campbell of San Francisco, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Hubbard, Jenison, Kendrick, Kewen, Langdon, Lux, McColliam, Mebins, Owen, Pratt, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Walker of Fresno, Watson, Wiley, Wilsey, Whallon, and Wood—37.

The resolution was adopted by the following vote, the ayes and noes having been demanded by Messrs. Whallon, Martin, and Wason:

AYES—Messrs Badlam, Beaman, Brooks, Brown of Amador, Campbell of El Dorado, Dickinson, Fraser, Hittell, Hoag, Hubbard, Hirst, Jenison, Kendrick, Kewen, Langdon, Lux, Martin, McColliam, Mebius, Pratt, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Van Leuven, Van Schaick, Walker of Fresno, Wason, Watson, Wiley, Whallon, and Wood—34.

NOES—Messrs. Alley, Buffum, Campbell of San Francisco, Cherry, Clark, Devoe, Dodson, Dow, Dutton, Erkson, Gray, Green, Hill, Hunt, Littlefield, Parker, Perley, Perrin, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Walker of Alameda, Weston, Wilcox, Winchester, and Wright—30.

Mr. Martin gave notice of a motion to reconsider.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate, the Seventy-Ninth Rule being suspended five minutes for that purpose :

SENATE CHAMBER,
March 14th, 1864. }

MR. SPEAKER:—The Senate, on the tenth instant, passed Senate bill No. 331, an Act repealing an Act entitled an Act making orders or warrants drawn on the County Treasurer of Stanislaus County, and payable out of the county revenue, receivable in payment of county taxes and dues in said county, approved April seventh, eighteen hundred and fifty-seven ;

Also, this day, concurred in Assembly amendment to Senate bill No. 110, an Act authorizing the Board of Supervisors of Sierra County to provide for the construction of certain wagon roads ;

Also, concurred in Assembly amendment to Senate bill No. 186, an Act amendatory of and supplemental to an Act entitled an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, concurred in Assembly amendment to Senate bill No 176, an Act relative to the office of District Attorney of the County of Sacramento ;

Also, this day, passed Senate bill No. 349, an Act to provide for holding a special term of the District Court of the Fourteenth District, in and for the County of Placer, which bill was considered engrossed, rules suspended, and ordered transmitted to the Assembly forthwith ;

Also, this day, passed Senate bill No. 350, an Act to regulate the time for holding the terms and sessions of the County Court, Probate Court, and the Board of Supervisors of the County of San Mateo, which bill was considered engrossed, rules suspended, and ordered transmitted to the Assembly forthwith ;

Also, this day, passed Senate bill No. 317, an Act to amend an Act entitled an Act to make certain offices in Calaveras County salaried offices, approved April twenty-fifth, eighteen hundred and sixty-three, which bill was considered engrossed, rules suspended, and ordered transmitted to the Assembly forthwith.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 15th, 1864. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate, on the ninth instant, passed Assembly bill No. 235, an Act relative to Justices of the Peace in the City of Stockton ;

Also, on the fourteenth instant, passed Assembly bill No. 313, an Act to create a Special Fund for the erection of a Jail in the County of San Bernardino ;

Also, same day, passed Assembly bill No. 93, an Act to amend an Act to provide for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven ;

Also, same day, passed Assembly bill No 324, an Act to transfer certain money from the General Fund of Tehama County to the Tehama County Wagon Road Interest and Redemption Fund.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 15th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, adopted and passed a substitute for Assembly concurrent resolution No. 36, relative to the destruction of a battery of eight pieces of artillery by fire on the night of the fourteenth instant, and ask the concurrence of the Assembly therein.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 15th, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate substitute bill No. 61, an Act amendatory of an Act entitled an Act providing for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 331, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 342, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 61, above reported, read first and second times, and referred to the Judiciary Committee.

The House concurred in Senate amendment to Assembly bill No. 93, above reported.

Also, adopted Senate substitute for Assembly concurrent resolution No. 36, above reported.

The other Senate bills, above reported, went into unfinished business.

GENERAL FILE RESUMED.

Senate bill No. 48, an Act concerning officers.

Mr. Tukey, by request, moved to indefinitely postpone the bill.

On which, the ayes and noes were demanded, by Messrs. Beaman, Wilcox, and Badlam, and the House agreed, by the following vote :

AYES—Messrs. Allen, Beaman, Bowman, Campbell of El Dorado, Campbell of San Francisco, Clayton, Devoe, Dickinson, Dodson, Dow, Dyer, Green, Hill, Hunt, Hirst, Kendrick, Kewen, Lux, Martin, McCollum, Perley, Personette, Pratt, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, Walker of Alameda, Watson, Weston, Wilsey, Whallon, and Wright—37.

NOES—Messrs. Allen, Badlam, Cherry, Clark, Dutton, Erkson, Fraser, Gray, Hartsough, Hittell, Hubbard, Langdon, Perrin, Redfield, Rhoads, Van Leuven, Van Schaick, Wason, Wilcox, Winchester, and Wood—21.

Assembly bill No. 349, an Act to amend an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty, and amended March eighteenth, eighteen hundred and sixty-three.

Mr. Walker of Alameda moved to indefinitely postpone the bill.

On which, the ayes and noes were demanded, by Messrs. Hill, Hittell, and Winchester, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Campbell of San Francisco, Clark, Clayton, Devoe, Dickinson, Dow, Dyer, Erkson, Fraser, Green, Hunt, Hirst, Jenison, Kendrick, Kewen, Lux, Mebius, Pratt, Snyder, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Watson, Whallon, Wood, and Wright—33.

NOES—Messrs. Gray, Hill, Hittell, Langdon, McColliam, Parker, Perin, Weston, Wilcox, and Winchester—11.

Assembly bill No. 159, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by said Board—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 96, an Act to amend an Act entitled an Act granting the right to construct and maintain a railroad in certain streets therein named in the City and County of San Francisco, approved April twenty-third, eighteen hundred and sixty-three—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 302, an Act to establish the lines and grades of streets in the City and County of San Francisco—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 307, an Act to establish Police regulations for the City and County of San Francisco, and to authorize and empower the Board of Supervisors to regulate the same—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 250, an Act to amend an Act entitled an Act concerning the Board of Supervisors of the County of San Bernardino, approved April eighth, eighteen hundred and sixty-two—rules suspended, read third time, and passed.

Assembly bill No. 377, an Act supplemental to an Act entitled an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 272, an Act to fix the salary of the Superintendent of Public Schools for the County of Sutter—rules suspended, amended, read third time, and passed.

Assembly bill No. 283, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 280, an Act to allow additional compensation to the Board of Supervisors of Nevada County—rules suspended, read third time, and passed.

Senate bill No. 225, an Act for the relief of Levi Beck.

Mr. Wilcox moved the indefinite postponement of the bill.

Mr. Snyder moved to amend by referring it to the State Prison Committee.

Lost.

On the motion that the bill be indefinitely postponed, the ayes and noes were demanded, by Messrs. Beaman, Watson, and Winchester, and it was so ordered, by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Campbell of El Dorado, Clark, Clayton, Devoe, Dodson, Erkson, Fraser, Hartsough, Hittell, Hubbard, Hirst, Jenison, Kendrick, Kewen, Littlefield, Lux, Mc-

Colliam, Mebius, Parker, Perley, Redfield, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Wilcox, Wood, and Wright—34.

NOES—Messrs. Dickinson, Dow, Gray, Hill, Hunt, Langdon, Martin, Perrin, Pratt, Rule, Scott of Alameda, Smith of Nevada, Snyder, Van Schaick, Walker of Alameda, Walker of Fresno, Watson, and Winchester—18.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 150, an Act to create the County of Alpine, to define its boundaries, and to provide for its organization ;

Also, Assembly bill No. 216, an Act supplementary to and amendatory of the Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools ; Also, Assembly bill No. 205, an Act concerning roads and highways in the County of Sierra ;

And this day presented the same to the Governor for his approval.

REDFIELD, Chairman.

Assembly bill No. 367, an Act amendatory of an Act entitled an Act to reduce and establish the salaries of officers and pay of Members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six.

On suspending the rules, to consider engrossed and pass the bill, the ayes and noes were demanded, by Messrs. Scott of Alameda, Hunt, and Rhoads, and the bill passed, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Cherry, Clark, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Hill, Hittell, Hubbard, Hirst, Jenison, Kendrick, Kewen, Langdon, Littlefield, Lux, Martin, McColliam, Parker, Redfield, Rule, Scott of Siskiyou, Sepulveda, Snyder, Teare, Tukey, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wiley, Wilsey, and Winchester—41.

NOES—Messrs. Bowman, Brooks, Clayton, Fraser, Green, Hartsough, Hoag, Hunt, Perley, Perrin, Rhoads, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Sumner, Van Leuven, Van Schaick, Wason, Whallon, Wood, and Wright—21.

Mr. Speaker announced the following Committee of Investigation, to examine into the burning of cannon in Sacramento : Messrs. Hunt, Wood, and Scott of Alameda.

Assembly bill No. 186, an Act to credit and allow a certain claim—considered in Committee of the Whole, (Mr. Wiley in the Chair.)

IN ASSEMBLY.

Reported and recommended.

The House sustained a motion of Mr. Dodson's, for the previous question.

On suspending the rules, and ordering the bill engrossed and read third

time, the ayes and noes were demanded, by Messrs. Wilcox, Allen, and Lux, and taken, with the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Campbell of El Dorado, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Dodson, Dow, Dyer, Erksan, Hill Hittell, Hunt, Hirst, Langdon, Lux, McColliam, Perley, Teare, Tukey, Walker of Alameda, Wason, Wilcox, Wiley, and Wood—29.

NOES—Messrs. Bowman, Brown of Tulare, Devoe, Dickinson, Dutton, Fraser, Gray, Green, Hartsough, Hoag, Jenison, Kendrick, Littlefield, Martin, Perrin, Redfield, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Sonoma, Sumner, Van Leuven, Van Schaick, Walker of Fresno, Weston, Wilsey, Winchester, and Wright—30.

Mr. Wright gave notice of a motion to reconsider.

Assembly bill No. 372, an Act for the relief of James M. Sharkey—indefinitely postponed.

Assembly bill No. 380, an Act to fix the time of holding the County Court and Probate Court in the Counties of Shasta and Mendocino, proposed substitute for Assembly bill No. 366 and Assembly bill No. 378—substitute adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 352, an Act amendatory of and supplementary to an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 364, an Act concerning moneys deposited in Courts of record in this State—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 154, an Act supplementary to an Act entitled an Act concerning conveyances, passed April sixteenth, eighteen hundred and fifty.

Mr. Campbell of San Francisco moved to indefinitely postpone the bill.

On which, Messrs. Whallon, Hoag, and Clayton, demanded the ayes and noes, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Brooks, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro, Clark, Devoe, Dodson, Dow, Fraser, Gray, Hartsough, Hittell, Hubbard, Hunt, Hirst, Jenison, Kewen, Langdon, Littlefield, Lux, Martin, Parker, Rhoads, Rule, Sumner, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, and Wilsey—37.

NOES—Messrs. Bowman, Clayton, Dutton, Green, Hoag, Kendrick, McColliam, Mebius, Scott of Alameda, Smith of Sonoma, Van Schaick, and Whallon—12.

Assembly bill No. 333, an Act concerning jurors in Plumas County—amended, on motion of Messrs. Weston and Martin, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 373, an Act amendatory of an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and sixty-one—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 247, an Act to grant the right to construct a wagon road in Tulare County—rules suspended, read third time, and passed.

Assembly bill No. 371, an Act supplementary to and amendatory of an Act entitled an Act to amend an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County, approved April thirteenth, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 204, an Act to authorize the sale and conveyance to the Pacific Glass Works of certain Overflowed Lands in the City and County of San Francisco—ordered to top of file for Friday, March eighteenth.

Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 259, an Act to amend an Act entitled an Act concerning the duties of County Clerk, passed April eighteenth, eighteen hundred and fifty—rules suspended, read third time, and passed.

Senate bill No. 244, an Act supplementary to an Act entitled an Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to compromise and settle certain claims to real estate, and to convey such real estate pursuant thereto, passed April fourteenth, A. D. eighteen hundred and sixty-two—rules suspended, read third time, and passed.

Senate bill No. 311, an Act supplementary to an Act concerning the office of County Clerk of Placer County, approved February twenty-fifth, eighteen hundred and fifty-eight—rules suspended, read third time, and passed.

Assembly bill No. 398, an Act to amend an Act supplementary to an Act to amend an Act to prevent the trespassing of animals on private property, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-fifth, eighteen hundred and sixty-three—amended to include Santa Barbara, rules suspended, considered engrossed, read third time, and passed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
March 15th, 1864. }

Mr. SPEAKER :—The Senate, this day, adopted Senate concurrent resolution No. 27, relative to Senate bill No. 150, and ask the concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
March 15th, 1864 }

Mr. SPEAKER :—The Senate, yesterday, passed Senate bill No. 288, an Act to amend an Act entitled an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty ;

Also, passed Senate bill No. 290, an Act to fix the compensation of the Board of Supervisors of Sonoma County.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 15th, 1864. }

Mr. SPEAKER :—The Senate, this day, amended and passed Assembly bill No. 385, an Act to provide for Recorders and Auditors in certain counties in this State, and to legalize the acts of certain officers ;

Also, passed Senate bill No. 337, an Act to authorize the Board of State Harbor Commissioners to employ Counsel in San Francisco ;

Also, on the fourteenth instant, passed Senate bill No. 224, an Act to grant to Moses F. Hoit and his associates the right to construct a toll road and bridge in Nevada County.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 307, above reported, read first and second times, and ordered to General File.

Senate bill No. 224, above reported, read first and second times, and ordered to General File.

Senate bill No. 317, before reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 350, above reported, read first and second times, amended, on motion of Mr. Green, rules suspended, read third time, and passed.

Senate concurrent resolution No. 27, above reported, was concurred in.

Senate bill No. 290, above reported, read first and second times, and referred to the Sonoma delegation.

Senate bill No. 288, above reported, read first and second times, and ordered to top of file for Thursday, March seventeenth.

The House concurred in Senate amendments to Assembly bill No. 385.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Cherry, for an Act to provide for a street railroad in the Western Addition of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Langdon, for an Act to prevent the trespassing of hogs, sheep, and goats, upon private property in the County of Calaveras.

Read first and second times, and ordered to General File.

By Mr. McColliam, for an Act to authorize the sale and conveyance to the San Francisco Cordage Company of certain Overflowed Lands in the City and County of San Francisco.

Read first and second times, and referred to the Committee on Swamp and Overflowed Lands.

By Mr. Green, for an Act to grant the right to construct a turnpike road between the Town of Searsville, in the County of San Mateo, and the Town of Pescadero, in the County of Santa Cruz.

Read first and second times, and referred to the San Mateo and Santa Cruz delegations.

MESSAGE FROM THE GOVERNOR.

The rules were suspended, and the following message from the Governor read:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 15th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 105, an Act granting the right of way over certain lands in the Counties of Lake and Sonoma, for the construction of a wagon road ;

Also, Assembly bill No. 206, an Act to authorize R. C. Kirby and others to construct and maintain a turnpike road from the Town of Santa Cruz to a point near the line of the San Francisco and San José railroad, and to charge and collect tolls for travel thereon ;

Also, Assembly bill No. 164, an Act amendatory of and supplemental to an Act entitled an Act for the relief of the enlisted men of the California Volunteers in the service of the United States, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 45, an Act for the better protection of the agricultural interests in certain counties in this State, and the more effectual prevention of the trespassing of animals upon private property.

FRED'K F. LOW,
Governor.

There being no further business, on motion of Mr. Fraser, at three o'clock and fifty-five minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Wednesday, March 16th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Sumner presented a petition from the citizens of Butte, for a repeal of the Specific Contract Law.

Referred to the Judiciary Committee.

RECONSIDERATIONS.

Mr. Wilcox moved to reconsider the vote whereby the House refused to order engrossed Assembly bill No. 186, an Act to audit and allow a certain claim.

The motion was adopted.

On suspending the rules, considering the bill engrossed, read third

time, and passed, the ayes and noes were demanded, by Messrs. Winchester, Weston, and Martin, and taken, with the following result:

AYES—Messrs. Allen, Alley, Badlam, Boulware, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Devoe, Dickinson, Dow, Dutton, Dyer, Erkson, Fraser, Green, Hill, Hittell, Hunt, Hirst, Johnson, Kewen, Langdon, Lux, Martin, Owen, Parker, Perley, Perrin, Pratt, Scott of Siskiyou, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Wason, Watson, Wilcox, Wilsey, and Wood—44.

NOES—Messrs. Beaman, Brooks, Clayton, Gray, Hartsough, Jenison, Kendrick, Littlefield, McColliam, Mebius, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Sumner, Van Schaick, Weston, and Wright—21.

Mr. Martin moved to reconsider the vote whereby the House, yesterday, passed Assembly concurrent resolution No. 33, relative to compensation paid to officers and men in the service of the United States.

Adopted.

Mr. Martin moved to indefinitely postpone the resolution.

On which, the ayes and noes were demanded, by Messrs. Hoag, Walker of Fresno, and Dickinson, and the House agreed, by the following vote:

AYES—Messrs. Allen, Beaman, Bowman, Brooks, Buffum, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Gray, Green, Hartsough, Hill, Johnson, Langdon, Littlefield, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Sumner, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wilcox, and Winchester—45.

NOES—Messrs. Badlam, Brown of Amador, Dickinson, Fraser, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Kendrick, Kewen, Mebius, Pratt, Smith of Sonoma, Tukey, Walker of Fresno, Wason, Watson, Weston, Whallon, Wood, and Wright—23.

REPORTS.

Mr. Buffum made a report from the Committee on Hospitals, relative to the Hospitals and Societies recipients of State bounty.

[For report, see Appendix.]

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 288, an Act amendatory of an Act entitled an Act to regulate marriages, passed April twenty-second, eighteen hundred and fifty;

Also, Assembly bill No. 327, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one;

Also, Assembly bill No. 346, an Act to amend an Act entitled an Act changing the time for assessing the value of real and personal property, and collecting the taxes thereon, for State and county purposes, in the County of Sierra, approved April tenth, eighteen hundred and sixty-two;

Also, Assembly bill No. 347, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-eighth, eighteen hundred and sixty;

Also, Assembly bill No. 389, an Act to amend an Act entitled an Act to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three;

Also, Assembly bill No. 371, an Act supplementary and amendatory of an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County, approved April thirteenth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report:

MR. SPEAKER:—The Committee on Military Affairs, to whom was referred Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization of the National Guard of the State of California, and for the public defence, have had the same under consideration, beg leave to report the same back with amendments, and recommend its passage as amended.

WOOD, Chairman.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report:

MR. SPEAKER:—The Committee on Commerce and Navigation, to whom was referred Assembly bill No. 370, an Act to authorize the sale and conveyance to the Potrero Homestead Association of certain Overflowed Lands in the City and County of San Francisco, have had the same under consideration, report the same back to the House, and respectfully recommend its indefinite postponement.

HUNT, Chairman.

Mr. Erkson, from the Committee on Agriculture, made the following report:

MR. SPEAKER:—The Committee on Agriculture, to whom was referred Senate bill No. 269, an Act to prevent hogs running at large in certain counties in this State, have had the same under consideration, beg leave to report that they have amended it, and recommend the passage of the bill as amended.

ERKSON, for Committee.

Mr. Pratt made the following report:

MR. SPEAKER:—The Placer delegation, to whom was referred Assembly bill No. 383, an Act to grant the right to construct a turnpike road between Forest Hill and Grasshopper Ranch, in the County of Placer, with branches thereto, and to establish and maintain a bridge thereon, to J. L. Sanborn, his associates and assigns, have had the same under consideration, and beg leave to report it back with amendment, and recommend its passage as amended.

PRATT, for Delegation.

The rules were suspended, and the bill above reported considered engrossed, read third time, and passed.

Mr. Redfield made the following report :

MR. SPEAKER :—The Yuba delegation, to whom was referred Assembly bill No. 358, an Act to authorize the Common Council of the City of Marysville, Yuba County, to pay back to the Society of the Sisters of Notre Dame certain moneys received for taxes, have given the same their careful attention, and find the following, among other facts, connected therewith :

First—That the Sisters of Notre Dame, through their Superioress, petitioned the Mayor and Common Council of the City of Marysville for a return of the money collected of them for taxes assessed in favor of said city on a portion of their property, which amount, as stated by them, is two hundred and ten dollars.

Second—That the prayer of said petition, after due consideration, was denied.

Third—That W. C. Belcher, Acting City Attorney, delivered a written opinion in the matter, to the effect that the property taxed was not of the class or character exempted by law from taxation.

Fourth—That the amount of taxes and costs actually paid by said Sisters of Notre Dame, as shown by the City Marshal's certificate, was two hundred and nine dollars and ninety-seven cents.

Fifth—That the amount claimed in the bill is three hundred and ninety-nine dollars and thirteen cents, being an excess over the amount paid of one hundred and eighty-nine dollars and sixteen cents.

Sixth—That, in the opinion of the delegation, it is because the petitioners believe that they cannot maintain their case in any Court of competent jurisdiction that they have, as a last resort, asked the Legislature to enact this law.

For these reasons, we respectfully recommend that the bill do not pass.

REDFIELD,
BEAMAN.

Mr. Cherry made the following report :

MR. SPEAKER :—The San Francisco delegation, to whom was referred Assembly bill No. 381, an Act amendatory of and supplementary to certain Acts in relation to street railroads in the City and County of San Francisco, have had the same under consideration, report it back with amendments, and recommend its passage as amended.

CHERRY, for Delegation.

The rules were suspended, the bill above reported taken up, amendments adopted, rules again suspended, bill considered engrossed, read third time, and passed, and title amended.

Mr. Badlam offered the following resolution :

Resolved, That the usual number of copies of the new rules, Numbers Seventy-Seven, Seventy-Eight, and Seventy-Nine, be ordered printed, and distributed among the members.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
March 16th, 1864. }

Mr. SPEAKER :—The Senate, on yesterday, passed Senate bill No. 297, an Act supplementary to an Act entitled an Act concerning crimes and punishments;

Also, passed Assembly bill No. 280, an Act to amend an Act concerning Teachers of Common Schools in this State, and amended the title to same;

Also, passed Assembly bill No. 221, an Act for the relief of Miss M. H. Bowne;

Also, indefinitely postponed Assembly bill No. 69, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, on the fourteenth instant, passed Senate bill No. 265, an Act to amend an Act amendatory of and supplemental to an Act in relation to personal mortgages.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 265, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 297, above reported, read first and second times, and placed on file.

The House concurred in Senate amendment to Assembly bill No. 280, above reported.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hirst, for an Act to fix the amount of the official bonds of the county officers in and for the County of Klamath.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Hubbard, for an Act supplemental to an Act to provide a Special Fund for the construction of the State Capitol buildings at the City of Sacramento, approved March twenty-seventh, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Public Buildings.

By Mr. Green, for an Act to provide for the continuance and election of a Board of Supervisors in and for the County of San Mateo, and to define and limit the powers and duties of said Board in certain cases.

Read first and second times, and ordered to General File.

GENERAL FILE.

On motion of Mr. Allen, the rules were suspended, and Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six—taken up out of its order.

The House sustained a motion for the previous question by Mr. McColliam.

On the passage of the bill, Messrs. Wright, Weston, and Dodson, demanded the ayes and noes, and the bill passed, by the following vote :

AYES—Messrs. Allen, Alley, Beaman, Bowman, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dutton, Fraser, Gray, Green, Hittell, Hoag, Hubbard, Hunt, Johnson, Kendrick, Kewen, Langdon, Lux, Martin, McColliam, Owen, Parker, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Walker of Fresno, Weston, Wilsey, Winchester, Whallon, and Wright—49.

NOES—Messrs. Dow, Littlefield, Ludlow, Perley, Perrin, Redfield, Sumner, Walker of Alameda, Wason, and Watson—10.

Mr. Wright gave notice of a motion to reconsider.

Mr. Cherry moved to suspend the Fifty-Eighth Rule, and reconsider the bill now.

Mr. Owen moved the previous question.

Sustained.

On the adoption of the motion to suspend, the ayes and noes were demanded, by Messrs. Sumner, Wason, and Walker of Alameda, and the House refused by the following vote :

AYES—Messrs. Alley, Bowman, Brooks, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dutton, Gray, Hittell, Hoag, Hubbard, Johnson, Kendrick, Kewen, Martin, McColliam, Mebius, Owen, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Sonoma, Teare, Tukey, Walker of Fresno, Weston, Wilsey, and Whallon—37.

NOES—Messrs. Allen, Brown of Amador, Dodson, Dow, Erkson, Green, Hunt, Langdon, Ludlow, Lux, Parker, Perley, Perrin, Redfield, Scott of Siskiyou, Sumner, Van Schaick, Walker of Alameda, Wason, Watson, Winchester, and Wright—22.

Assembly bill No. 61, an Act to amend the election law, and to establish a uniform system of registry throughout the State—ordered to top of file for March nineteenth, and ordered printed.

Assembly bill No. 115, an Act to provide for the collating, compiling, and digesting the laws of the State of California—ordered second on file for March nineteenth, and ordered printed.

Assembly bill No. 333, an Act to provide a Commission to codify the laws of this State—ordered second on file for March nineteenth, and ordered printed.

INTRODUCTION OF BILLS.

The rules were suspended to permit the introduction of the following bills :

By Mr. Hittell, for an Act to provide for a digest of the general laws of California.

Read first and second times, and ordered third on file for March eighteenth, and ordered printed.

By Mr. Watson, for an Act supplementary to an Act entitled an Act for the better protection of the agricultural interests in certain counties,

and for the more effectual prevention of the trespassing of animals upon private property, passed March eleventh, eighteen hundred and sixty-four.

Read first and second times, and ordered to General File.

By Mr. Whallon, for an Act concerning the Superintendent of Common Schools of the County of Sonoma.

Read first and second times, and ordered to General File.

By Mr. Lux, for an Act concerning fences.

Read first and second times, rules suspended, considered engrossed, read third time, and passed, and title amended.

GENERAL FILE RESUMED.

Assembly bill No. 79, an Act for the completion of the State Capitol, and to provide for the payment of the same.

Mr. Lux offered the following additional section :

“Section 16. All the provisions of an Act entitled an Act to provide a Special Fund for the construction of the State Capitol building at the City of Sacramento, approved March twenty-seventh, eighteen hundred and sixty-three, are hereby repealed; *provided*, that the provisions of this Act are ratified by the people at an election to be holden on the Tuesday next after the first Monday in November, otherwise said Act shall remain in full force.”

The rules were suspended, and Mr. Lux, Chairman of the Committee on Public Buildings, allowed to make the following report :

MR. SPEAKER :—The Committee on Public Buildings, to whom was referred Assembly bill No. 243, an Act to provide for the construction of the State Capitol building at the City of Sacramento, and to submit the same to a vote of the people, have had the same under consideration, and ask leave to report the bill back, without recommendation.

LUX, Chairman.

Mr. Tukey offered a substitute for Assembly bill No. 79, and all amendments thereto pending.

On adopting the same, the ayes and noes were demanded, by Messrs. Snyder, Tukey, and Winchester, and it was rejected, by the following vote :

AYES—Messrs. Allen, Badlam, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Dodson, Dow, Fraser, Green, Hartsough, Hubbard, Hunt, Kewen, Ludlow, Lux, Martin, Pratt, Rhoads, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Wason, Watson, Wilsey, and Winchester—28.

NOES—Messrs. Alley, Beaman, Bowman, Brooks, Brown of Amador, Buffum, Clayton, Devoe, Dickinson, Dutton, Dyer, Erkson, Gray, Hittell, Hoag, Hirst, Jenison, Johnson, Kendrick, Langdon, McColliam, Mebius, Owen, Parker, Perley, Perrin, Redfield, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Van Schaick, Walker of Fresno, Weston, Whallon, and Wright—37.

Mr. Devoe moved to indefinitely postpone the bill.

On which, Messrs. Watson, Lux, and Kewen, demanded the ayes and noes, and the House agreed, by the following vote :

AYES—Messrs. Beaman, Bowman, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Clayton, Devoe, Dickinson, Dutton, Dyer, Erkson, Gray, Green, Hittell, Hubbard, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Lux, McColliam, Parker, Perley, Perrin, Redfield, Scott of Siskiyou, Snyder, Sumner, Van Schaick, Walker of Fresno, Weston, Whallon, Wood, and Wright—39.

NOES—Messrs. Allen, Badlam, Campbell of El Dorado, Dodson, Dow, Fraser, Hartsough, Hunt, Ludlow, Martin, Mebus, Rhoads, Rule, Scott of Alameda, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Wason, Watson, Wilcox, Wilsey, and Winchester—23.

Assembly bill No. 103, an Act to prohibit gaming.

On motion of Mr. Wood, the House resumed the consideration by sections, commencing at the proposed new section seven.

Mr. Dodson offered the following amendment to the amendment reported by the committee : Strike out of lines five and six, the words "the officer by whom the complaint shall be entered shall be entitled to a like sum."

The amendment of Mr. Dodson was lost, and that reported by the committee adopted.

The amendments to section nine were adopted.

Mr. Chappell offered the following : Insert in section three, line two, after the word "conducted," the following words : "for the purposes specified in section one of this bill."

Adopted.

Mr. Martin moved to indefinitely postpone the bill.

The previous question, on motion of Mr. Snyder, was sustained.

The ayes and noes were demanded, by Messrs. Wilcox, Wood, and Buffum, and the House refused to indefinitely postpone the bill, by the following vote :

AYES—Messrs. Alley, Beaman, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Dickinson, Dodson, Dyer, Fraser, Hoag, Hunt, Hirst, Kewen, Langdon, Lux, Martin, Mebus, Parker, Personette, Pratt, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Walker of Fresno, Weston, Wilcox, Wiley, and Wilsey—31.

NOES—Messrs. Allen, Badlam, Bowman, Brooks, Buffum, Castro, Chappell, Cherry, Clark, Devoe, Dow, Dutton, Erkson, Gray, Green, Hartsough, Hittell, Hubbard, Jenison, Johnson, Kendrick, Ludlow, McColliam, Owen, Perley, Redfield, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Schaick, Walker of Alameda, Wason, Winchester, Wood, and Wright—36.

On ordering the bill engrossed, the ayes and noes were demanded, by Messrs. Wilcox, Kewen, and Buffum, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Badlam, Bowman, Brooks, Buffum, Castro, Cherry, Clark, Devoe, Dow, Dutton, Erkson, Gray, Green, Hartsough, Hittell, Hubbard, Jenison, Johnson, Kendrick, Ludlow, McColliam, Owen, Perley, Perrin, Redfield, Rule, Scott of Alameda, Smith of Nevada,

Sumner, Van Schaick, Walker of Alameda, Wason, Winchester, Wood, and Wright—36.

NOES—Messrs. Alley, Beaman, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Dickinson, Dodson, Dyer, Fraser, Hoag, Hunt, Hirst, Kewen, Langdon, Lux, Martin, Mebius, Parker, Personette, Pratt, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Weston, Wilcox, Wiley, and Wilsey—32.

Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 67, an Act to amend an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, and an Act amendatory thereof, approved May fourteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved March third, eighteen hundred and sixty-three.

Mr. Martin moved to indefinitely postpone the bill.

Mr. Hirst moved the previous question.

Sustained.

The motion of Mr. Martin prevailed.

Assembly bill No. 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three—considered in Committee of the Whole, (Mr. Rule in the Chair.)

IN ASSEMBLY.

Reported and recommended, and ordered engrossed and read third time

Assembly bill No. 357—ordered to bottom of file.

Senate bill No. 215, an Act supplementary to an Act entitled an Act in relation to suits brought for the collection of delinquent taxes, approved May twelfth, eighteen hundred and sixty-two.

Mr. Wright moved to reconsider the vote whereby the bill was ordered to third reading.

Lost.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Whallon, Wright, and Martin, and the bill passed, by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Brooks, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clayton, Devoe, Dodson, Dow, Erkson, Fraser, Hittell, Hirst, Jenison, Johnson, Kendrick, Martin, Parker, Perrin, Personette, Redfield, Rhoads, Rule, Smith of Nevada, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Wiley, Wilsey, Winchester, and Wright—40

NOES—Messrs. Brown of Amador, Castro, Dickinson, Gray, McColliam, Mebius, Scott of Alameda, Sepulveda, Weston, and Whallon—10.

Senate bill No. 196, an Act supplemental to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco—indefinitely postponed, on motion of Mr. Martin.

Senate bill No. 273, an Act to revise and re-enact sections four and five of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning marks and brands, passed May first, eighteen hundred and fifty-one, and to repeal a former Act relating thereto.

Mr. Kewen offered a substitute for the bill, which was adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 273, an Act respecting the Owens River Canal Company—substitute adopted, and read first and second times.

Mr. Winchester moved to indefinitely postpone the bill.

Mr. Weston moved to strike out "twenty," and insert "fifteen"

Mr. Dutton moved to amend by inserting "ten" instead of "fifteen."

Mr. Kewen moved the previous question.

Sustained.

The motion of Mr. Dutton was lost.

The motion of Mr. Weston was adopted.

The bill was ordered engrossed and read third time.

On motion of Mr. Kewen, at four o'clock and forty minutes p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 17th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Peck.

Journal of yesterday read and approved.

In accordance with previous notice, Mr. Wright moved to reconsider the vote by which the House passed Assembly bill No. 176, the general appropriation bill.

Mr. Campbell of San Francisco moved the indefinite postponement of the motion to reconsider.

The House agreed.

REPORTS.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report:

MR. SPEAKER:—The Committee on Commerce and Navigation, to whom was referred Assembly bill No. 402, an Act to authorize the sale and conveyance to the San Francisco Cordage Company of certain Overflowed Lands in the City and County of San Francisco, have had the same under consideration, report it back to the House with an amendment, and respectfully recommend its passage as amended.

HUNT, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 283, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two;

Also, Assembly bill No. 367, an Act amendatory of an Act entitled an Act to reduce and establish the salaries of officers and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six;

Also, Assembly bill No. 381, an Act amendatory of and supplemental to an Act entitled an Act to provide for street railroads in the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and to other similar bills, severally approved April seventeenth, eighteen hundred and sixty-one, and March twenty-eighth, eighteen hundred and sixty-three;

Also, Assembly bill No. 331, an Act to abolish the office of State Gauger;

Also, Assembly bill No. 96, an Act to amend an Act entitled an Act granting the right to construct and maintain a railroad in certain streets therein named in the City and County of San Francisco, approved April twenty-third, eighteen hundred and sixty-three;

Also, Assembly bill No. 302, an Act to establish the lines and grades of streets in the City and County of San Francisco.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

Mr. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 61, an Act amendatory of an Act entitled an Act providing for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three, have had the same under consideration, and report it back, with recommendation of its passage;

Also, Assembly bill No. 395, an Act to settle the title to lands in the Village and Town of Branciforte, on the Public Lands in the County of Santa Cruz, report the same back with an amendment, and recommend the passage of the bill as amended

CAMPBELL of San Francisco, Chairman.

Mr. Allen made a verbal report from the Committee on Ways and Means, returning Assembly bill No. 392, and recommending its reference to the Judiciary Committee.

So reported.

Mr. Kewen made the following report :

Mr. SPEAKER :—The Los Angeles delegation, to whom was referred the accompanying Assembly bill No. 73, an Act concerning the salary of the County Judge of Los Angeles County, have had the same under consideration, and beg leave to report the same, with the recommendation of its passage.

KEWEN,
SEPULVEDA.

Mr. Beaman made the following report :

Mr. SPEAKER :—The Yuba delegation, having Assembly bill No. 379

under consideration, beg leave to report the same back, and recommend its passage.

BEAMAN, for Delegation.

Mr. Cherry made the following report :

Mr. SPEAKER :—The San Francisco delegation, to whom was referred Assembly bills Nos. 254, 255, and 256, entitled, severally, an Act to amend an Act entitled an Act concerning Courts of justice and judicial officers, approved April twentieth, eighteen hundred and sixty-three ; an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three ; and an Act supplementary to and to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three, having had the same under consideration, report them back, with amendments to No 255, and recommend their passage.

CHERRY, for Delegation.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 16th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 205, an Act concerning roads and highways in the County of Sierra ;

Also, Assembly bill No. 150, an Act to create the County of Alpine, to define its boundaries, and to provide for its organization.

FRED'K F. LOW,
Governor.

Mr. Hirst offered a concurrent resolution granting six months leave of absence to Thomas H. Rector, County Clerk of Klamath County.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
March 16th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the fourteenth instant, passed Senate bill No. 284, an Act for the compensation of the District Attorney of the County of Fresno ;

Also, same day, passed Senate bill No. 285, an Act to amend an Act entitled an Act to grant the right to construct a wagon road in Tulare County, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, same day, passed Senate bill No. 283, an Act to regulate fees in the County of Fresno ;

Also, same day, passed Senate bill No. 286 an Act granting parties

therein named the right to construct a wagon road, and collect toll thereon.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 16th, 1864. }

Mr. SPEAKER:—The President of the Senate, on yesterday, appointed as a joint committee on the part of the Senate, in accordance with Assembly concurrent resolution No. 36, relative to destruction of field battery belonging to the State, by fire, Messrs Smith, Roberts, and Benton.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 286, above reported, read first and second times, and referred to the Committee on Roads and Highways.

Senate bill No. 283, above reported, read first and second times, and ordered to General File.

Senate bill No. 284, above reported, read first and second times, and referred to General File.

Senate bill No. 285, above reported, read first and second times, and referred to General File.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Hubbard, for an Act supplemental to an Act entitled an Act to amend an Act relating to corporations, passed May eighteenth, eighteen hundred and fifty-three.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Jenison, for an Act to authorize the formation of an association for the improvement of horses and neat cattle.

Read first and second times, and referred to the Committee on Agriculture.

By Mr. Tukey, for an Act to provide for levying a tax for State Prison purposes, and to provide for the erection of a Branch State Prison at or near the Town of Folsom.

Read first and second times, and referred to the State Prison Committee, and ordered printed in connection with a similar bill heretofore introduced.

By Mr. Watson, for an Act to amend an Act entitled an Act concerning hogs running at large in the County of Solano.

Read first and second times, and ordered to General File.

By Mr. Perrin, for an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Judiciary Committee.

GENERAL FILE.

Senate bill No. 288, an Act to amend an Act entitled an Act prescrib-

ing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one.

Mr. Dodson moved to indefinitely postpone the bill.

Mr. Teare offered the following amendment:

"Section 2. Section eight of said bill is hereby amended so as to read as follows:

"Section 8. The Librarian shall receive for his salary the sum of two thousand five hundred dollars per annum. He may at any time be removed by a majority of the members of the Board of Trustees."

Mr. Watson moved the previous question.

Sustained.

On adopting the foregoing amendment, the ayes and noes were demanded, by Messrs. Watson, Martin, and Dodson, and it was rejected, by the following vote:

AYES—Messrs. Allen, Brown of Amador, Buffam, Chappell, Dodson, Dyer, Fraser, Hartsough, Hunt, Hirst, Jenison, Lux, Perley, Rhoads, Teare, Tukey, Van Leuven, Wason, Wilsey, and Wright—20.

NOES—Messrs. Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Tulare, Campbell of El Dorado, Castro, Cherry, Clark, Clayton, Devoe, Dickinson, Dow, Dutton, Erkson, Gray, Green, Hill, Hittell, Hoag, Hubbard, Johnson, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Martin, Owen, Perrin, Personette, Pratt, Redfield, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Van Schaick, Walker of Alameda, Walker of Fresno, Watson, Weston, Wilcox, Winchester, Whallon, and Wood—50.

On the question to indefinitely postpone, the ayes and noes were demanded, by Messrs. Hill, Martin, and Scott of Siskiyou, and taken, with the following result:

AYES—Messrs. Brown of Amador, Brown of Tulare, Chappell, Dickinson, Fraser, Hoag, Hunt, Hirst, Kendrick, Kewen, Sepulveda, Smith of Sonoma, Walker of Fresno, Whallon, and Wright—15.

NOES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Buffam, Campbell of El Dorado, Campbell of San Francisco, Castro, Cherry, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Gray, Green, Hill, Hittell, Hubbard, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Owen, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, and Wood—56.

The bill was ordered to third reading.

Mr. Martin moved to suspend the rules and place the bill on its passage.

The House ordered the bill read a third time, and passed.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 159, an Act to confer ad-

ditional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by said Board.

DYER, Chairman.

The rules were suspended for the following report by Mr. Watson :

Mr. SPEAKER :—The Sacramento delegation, to whom was referred Senate bill No. 192, an Act concerning the office of Auditor of the County of Sacramento, have had the same under consideration, and return it, with the recommendation that it be indefinitely postponed.

WATSON, for Delegation.

GENERAL FILE RESUMED.

Assembly bill No. 327, an Act to amend an Act prescribing rules for the government of the State Library, approved March eighth, eighteen hundred and sixty-one—indefinitely postponed, on motion of Mr. Martin.

Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence—considered in Committee of the Whole, (Mr. Rule in the Chair.)

IN ASSEMBLY.

The committee rose, reported progress, and asked leave to sit again. The bill was ordered second on file for to-morrow.

Assembly bill No. 254 was ordered referred to the Judiciary Committee.

Assembly bill No. 255 was ordered referred to the Judiciary Committee.

Assembly bill No. 256, was ordered referred to the Judiciary Committee.

Assembly bill No. 261, an Act to provide for the construction of a macadamized road in the City and County of San Francisco, and for the collection of tolls thereon—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 195, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act providing a Fund for the use of the State Library, passed May first, eighteen hundred and fifty-two, approved May eleventh, eighteen hundred and fifty-three—amendments adopted, and ordered engrossed.

Assembly bill No. 369, an Act to authorize the Board of Supervisors of Humboldt County to annul certain bonds—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 256, an Act to authorize Guadalupe Adelaida Limass to sell certain property of her minor children, Francisco J. Limass and Ana Limass—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 72, an Act to provide for the collection of certain moneys due this State.

Mr. Tukey moved to indefinitely postpone the bill.

Mr. Kowen moved to amend, by making the bill the special order for Tuesday, March twenty-second, at twelve o'clock m.

Withdrawn.

Mr. Kewen moved the previous question.

Not sustained.

Mr. Sears moved to amend, by recommitting to the Judiciary Committee.

Lost.

On the indefinite postponement of the bill, the ayes and noes were demanded, by Messrs. Hubbard, Cherry, and Perriu, and taken, with the following result:

AYES—Messrs. Allen, Bowman, Brooks, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clayton, Devoe, Dickinson, Dodson, Dutton, Dyer, Gray, Green, Hittell, Hirst, Johnson, Kendrick, Kewen, Lux, McColliam, Mebius, Parker, Perrin, Personette, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Van Schaick, Walker of Fresno, Weston, Wilcox, Wiley, and Wilsey—38.

NOES—Messrs. Beaman, Boulware, Brown of Amador, Buffum, Clark, Dow, Erkson, Fraser, Hill, Hubbard, Jenison, Langdon, Littlefield, Ludlow, Martin, Owen, Perley, Pratt, Redfield, Rhoads, Rule, Smith of Nevada, Sumner, Van Leuven, Walker of Alameda, Wason, Winchester, Wright, and Mr. Speaker—29.

And so the bill was indefinitely postponed.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled. Assembly bill No. 93, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven;

Also, Assembly bill No. 324, an Act to transfer certain moneys from the General Fund of Tehama County to the Tehama County Wagon Road Interest and Redemption Fund;

Also, Assembly bill No. 375, an Act to authorize the Board of Supervisors of the County of Siskiyou to transfer certain funds belonging to the County Hospital Fund to the School Fund;

Also, Assembly bill No. 235, an Act relative to Justices of the Peace in the City of Stockton;

Also, Assembly bill No. 221, an Act for the relief of Miss M. H. Bowne;

Also, Assembly bill No. 385, an Act to provide for Recorders and Auditors in certain counties in this State, and legalize the acts of certain officers;

Also, Assembly bill No. 313, an Act to create a Special Fund for the erection of a Jail in the County of San Bernardino;

Also, Assembly bill No. 280, an Act to amend an Act concerning Teachers of Common Schools in this State, approved April twenty-seventh, eighteen hundred and sixty-three;

And on this seventeenth day of March, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

On motion of Mr. Beaman, at five o'clock and seven minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 18th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

Journal of yesterday read and approved.

By unanimous consent, Mr. Owen had leave to introduce a concurrent resolution, asking the Governor to return Assembly bill No. 216, for correction of an error in the enrolled copy.

Adopted.

On motion of Mr. Weston, Mr. Boulware was allowed to be recorded as voting negatively on the passage of the general appropriation bill.

REPORTS.

Mr. Wilcox, Chairman of the Committee on Public Lands, made the following report :

MR. SPEAKER:—Your Committee on Public Lands, to whom was referred Senate bill No. 170, an Act to suspend the law allowing the sale of unsurveyed lands, and relating to the issuance of patents, have had the same under consideration, and report it back to the House, with the recommendation that it pass.

Also, Senate bill No. 67, an Act supplementary to an Act entitled an Act to provide for the disposition of the five hundred thousand acres of land granted to this State by Act of Congress, passed April fourth, eighteen hundred and forty-one, passed May third, eighteen hundred and fifty-three, and of an Act entitled an Act to provide for location of School Land warrants upon unsurveyed lands, and for the issuance of titles for the same, approved April eighteenth, eighteen hundred and fifty-nine, have had the bill under consideration, and report it back to the House, with the recommendation that it pass ;

Also, Assembly bill No. 82, an Act supplemental to an Act entitled an Act to provide for the sale of certain lands belonging to the State, approved April twenty-seventh, eighteen hundred and sixty-three, and report the same back to the House, with the recommendation that it do not pass.

WILCOX, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 165, an Act entitled an Act to amend and supplementary to an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty, have had the same under consideration, and report it back, with recommendation of its indefinite postponement ;

Also, Senate bill No 265, an Act to amend an Act entitled an Act to amend an Act entitled an Act amendatory of and supplementary to an Act in relation to personal mortgages in certain cases, passed May eleventh, eighteen hundred and fifty-three, approved April twenty-ninth, eighteen hundred and fifty-seven, and an Act amendatory thereof, approved April eighteenth, eighteen hundred and sixty-three, and report the same back, with recommendation of its passage.

CAMPBELL of San Francisco, Chairman.

Mr. Boulware, Chairman of the Committee on Agriculture, made the following report :

Mr. SPEAKER :—The Committee on Agriculture, to whom was referred Assembly bill No. 412, an Act to authorize the formation of an association for the improvement of horses and neat cattle, have had the same under consideration, and report the same back, with a recommendation of its passage.

BOULWARE, Chairman.

The rules were suspended, and the bill above reported was taken up, rules again suspended, considered engrossed, read third time, and passed.

Mr. Wilsey, Chairman of the Committee on Corporations, made the following report :

Mr. SPEAKER :—Your Committee on Corporations, to whom was referred Assembly bill No 411, an Act supplemental to an Act entitled an Act to amend an Act relating to corporations, have had the same under consideration, and report it back, and recommend its passage.

WILSEY, Chairman.

The rules were suspended, and the bill above reported taken up, considered, and ordered returned for specification to the introducer.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

Mr. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No 348, an Act to change the name of Charles Erastus Coy to Charles Lyman Snow ;

Also, Assembly bill No. 377, an Act supplemental to an Act entitled an Act to incorporate the Town of Santa Barbara, approved February tenth, eighteen hundred and sixty-four ;

Also, Assembly bill No. 307, an Act to establish Police regulations for the harbor of the City and County of San Francisco, and to authorize and empower the Board of Supervisors to regulate the same ;

Also, Assembly bill No. 352, an Act amendatory of and supplementary to an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 380, an Act to fix the time of holding the County Courts and Probate Courts in the Counties of Shasta and Mendocino ;

Also, Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 364, an Act concerning moneys deposited in Courts of record in this State;

Also, Assembly bill No. 261, an Act to provide for the construction of a macadamized road in the City and County of San Francisco, and for the collection of tolls thereon;

Also, Assembly bill No. 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 350, an Act to provide for the support of the privilege of free suffrage during the continuance of the war.

DYER, Chairman.

Mr. Green made the following report:

Mr. SPEAKER:—The Santa Cruz and San Mateo delegations have had under consideration Assembly bill No. 400, an Act to grant the right to construct a turnpike road from the Town of Searsville, in the County of San Mateo, to the Town of Pescadero, in the County of Santa Cruz, and have amended the same, and recommend its passage as amended.

GREEN, for Delegations.

MOTIONS AND RESOLUTIONS.

Mr. Wright offered the following resolution:

Resolved, That hereafter no member shall occupy more than five minutes in debate on any question before the House.

Adopted.

Mr. Wiley offered the following resolution:

Resolved, That a special committee of five be appointed by the Chair to visit the fortifications in and about San Francisco, ascertain their strength and efficiency, and report the same to this House; *provided*, that no mileage or extra pay shall be allowed said committee.

Mr. Martin moved to strike out the proviso.

Pending consideration, Mr. Cherry moved to lay the resolution on the table.

The motion was adopted.

Mr. Dow offered the following resolution:

Resolved, That we have the utmost confidence in the Government to examine its own fortifications.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
March 17th, 1864. }

Mr. SPEAKER:—The Senate, yesterday, passed Senate bill No. 230, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one;

Also, passed Senate bill No. 167, an Act supplementary to an Act entitled an Act to authorize the formation of corporations, to provide the members thereof with homesteads, or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one;

Also, adopted Senate concurrent resolution No. 28, relative to payment of certain claims;

Also, concurred in Assembly concurrent resolution No. 37, relative to the publication by the Secretary of State of certain documents therein designated.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 17th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, refused to concur in Assembly amendments to Senate bill No. 150, an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three, relating to Court Commissioners, and ask the Assembly to recede from its amendments;

Also, this day, passed Assembly bill No. 106, an Act in relation to roads and Road Masters in Solano County;

Also, on the fifteenth instant, passed Senate bill No. 294, an Act to provide for the redemption of the funded indebtedness of the City of Sacramento;

Also, same day, passed Senate bill No. 295, an Act supplementary to an Act entitled an Act to exempt firemen from militia service and jury duty, passed March twenty-fifth, eighteen hundred and sixty-three;

Also, same day, passed Senate bill No. 292, an Act explanatory of and supplementary to an Act entitled an Act to regulate fees of office in certain counties in this State, approved April eighth, eighteen hundred and sixty-three;

Also, same day, passed Senate bill No. 203, an Act to provide for the erection of a Jail and the repair of the Court-house in the County of Solano;

Also, same day, passed Senate bill No. 257, an Act directing the Board of Trustees of the City of Sonora to levy a special tax for the benefit of the Fire Department;

Also, same day, passed Senate bill No. 261, an Act to authorize the issuance of a duplicate of a certain School Land warrant to Hans Rohner;

Also, same day, passed Senate substitute bill No. 242, an Act for the relief of J. A. Moultrie;

Also, same day, passed Senate bill No. 216, an Act in relation to the Recorder of the City of Petaluma;

Also, same day, passed Senate bill No. 313, an Act to authorize the Board of Supervisors of Placer County to appropriate money from the General Fund of said county.

CHAS WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate concurrent resolution No. 28, above reported.

Senate bill No. 150, above reported, with Assembly amendment thereto, in which the Senate refused to concur, was referred to the Judiciary Committee.

Senate bill No. 216, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 167, above reported, read first and second times, and referred to the Committee on Corporations.

Senate bill No. 203, above reported, read first and second times, and referred to the Alameda delegation.

Senate bill No. 242, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 257, above reported, read first and second times, and referred to the Tuolumne delegation.

Senate bill No. 261, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 292, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 295, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 294, above reported, read first and second times, and referred to the Sacramento delegation.

Senate bill No. 363, above reported, read first and second times, rules suspended, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Jenison, for an Act to provide for funding the indebtedness of the County of Colusa.

Read first and second times, and ordered to General File.

By Mr. Perley, for an Act to amend an Act entitled an Act amendatory of an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, approved April twenty-fifth, eighteen hundred and sixty-three.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

COMMUNICATION.

Mr. Speaker presented the following communication :

OFFICE OF THE CENTRAL PACIFIC R. R. OF CALIFORNIA, }
Sacramento, March 18th, 1864.

To the Honorable the Assembly of the State of California :

The Central Pacific Railroad Company intend running an excursion train to the Granite Quarry on Saturday, leaving the corner of Front and I streets at one o'clock P. M., and would be pleased to have the members of your House, and its attaches and Reporters, join in the excursion, see the character of the work, and the progress that has been made in the construction of this great National highway.

Respectfully, your obedient servant,

LELAND STANFORD,

President C. P. R. R. Co.

On motion of Mr. Wright, the invitation was accepted.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 398, an Act to amend an Act supplementary to an Act to amend an Act to prevent the trespassing of animals upon private property, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-fifth, eighteen hundred and sixty-three.

DYER, Chairman.

GENERAL FILE.

Assembly bill No. 368, an Act for the relief of William Bradford—considered in Committee of the Whole, (Mr. Cherry in the Chair.)

IN ASSEMBLY.

The committee rose, and reported the bill without recommendation.

Mr. Rule moved the bill be returned to file.

Mr. Kewen moved to amend, by substituting the indefinite postponement of the bill.

On which, the ayes and noes were demanded, by Messrs. Walker of Alameda, Winchester, and Clark, and the motion was adopted, and the bill indefinitely postponed, by the following vote:

AYES—Messrs. Allen, Brooks, Chappell, Cherry, Devoe, Dickinson, Dutton, Erksan, Fraser, Gray, Green, Hoag, Hubbard, Hirst, Kendrick, Kewen, Ludlow, Mebius, Perley, Pratt, Redfield, Rhoads, Sepulveda, Smith of Sonoma, Sumner, Van Schaick, Walker of Fresno, Wason, Watson, Wilcox, Wilsey, and Whallon—32

NOES—Messrs. Alley, Buffum, Campbell of San Francisco, Clark, Dodson, Hill, Langdon, Lux, McCollum, Parker, Perrin, Rule, Smith of Nevada, Snyder, Van Leuven, Walker of Alameda, Weston, and Winchester—19.

Senate bill No. 173, an Act to appropriate money to pay the claims of John Byrnes and others, for material furnished and labor performed in fitting up the Supreme Court rooms, Judges' chambers, and Clerk's office—considered in Committee of the Whole, (Mr. Cherry in the Chair,) and amended.

IN ASSEMBLY.

Reported and recommended, rules suspended, and bill read third time.

On the passage, the ayes and noes were demanded, by Messrs. Boulware, Whallon, and Hartsough, and the bill was passed by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Campbell of San Francisco, Cherry, Dutton, Dyer, Erksan, Fraser, Hittell, Hubbard, Hunt, Jenison, Langdon, Ludlow, Lux, Perley, Perrin, Pratt, Redfield, Rhoads, Scott of Siskiyou, Snyder, Teare, Tukey, Van Leuven, Walker of Alameda, Watson, Weston, Wilcox, Wilsey, and Wright—32.

NOES—Messrs. Boulware, Brown of Tulare, Buffum, Clark, Devoe,

Dickinson, Dodson, Hartsough, Hill, Rule, Scott of Alameda, Sepulveda, Smith of Sonoma, Sumner, Walker of Fresno, and Whallon—16.

On motion of Mr. Wilcox, the rules were suspended, for the purpose of considering a

MESSAGE FROM THE GOVERNOR.

A message from the Governor was read, transmitting a communication from the Controller of State, to the effect that the floating indebtedness of the State has reached the Constitutional limit of three hundred thousand dollars, and that he declines to draw any more warrants upon the Treasurer until the outstanding indebtedness is reduced by payments from the Treasury.

The message and accompanying communication of the Controller were referred to the Committee on Ways and Means.

Senate Bill No. 156, an Act for the relief of Isaac T. Baker, Tax Collector of District Number Four, in and for Tuolumne County.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Lux, Wilcox, and Van Schaick, and taken, with the following result :

AYES—Messrs. Bowman, Chappell, Cherry, Clayton, Dickinson, Dow, Dutton, Dyer, Green, Hill, Hittell, Kendrick, Kewen, Martin, McColliam, Mebius, Perley, Perrin, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Wilcox, Winchester, and Whallon—28.

NOES—Messrs. Alley, Beaman, Boulware, Brown of Amador, Campbell of San Francisco, Devoe, Fraser, Hartsough, Hubbard, Jenison, Langdon, Littlefield, Lux, Parker, Pratt, Rhoads, Smith of Nevada, Snyder, Van Schaick, Wason, Weston, and Wilsey—22.

So the bill passed.

Senate bill No. 118, an Act supplementary to an Act to audit and allow the claim of T. J. A. Chambers, approved April twenty-fifth, eighteen hundred and sixty-two—considered in Committee of the Whole, (Mr. Winchester in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, read third time, and passed.

On motion of Mr. Boulware, the Seventy-Ninth Rule was suspended, and Senate bill No. 269, an Act to prevent hogs running at large in certain counties of this State, taken up out of its order.

Mr. Boulware offered the following amendment :

“Provided, in the County of Sutter this Act shall only be in force from the fifteenth day of November, of each year, to the fifteenth day of August following.”

Adopted.

Mr. Winchester moved to strike out all relating to the County of Placer.

Adopted.

The rules were suspended, and the bill read third time, and passed.

Assembly bill No. 363, an Act to pay the claim of E. C. Palmer for rent and stationery—considered in Committee of the Whole, (Mr. Hittell in the Chair)

IN ASSEMBLY.

Reported and recommended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 310, an Act making appropriations for deficiencies in the appropriations made for the fifteenth fiscal year, ending on the thirtieth day of June, eighteen hundred and sixty-four—considered in Committee of the Whole, (Mr. Dodson in the Chair,) and amendments adopted.

IN ASSEMBLY.

Reported and recommended.

The amendments reported by the committee were adopted in whole, rules suspended, the bill considered engrossed, read third time, and passed.

The rules were suspended for the introduction, by Mr. Martin, of a bill for an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three.

The bill was read the first time.

Objection being made to its second reading, the Speaker pro tem decided that the bill should lie over until to-morrow.

The rules were suspended, and Senate bill No. 227, an Act to amend an Act for the regulation of the telegraph, and to secure secrecy and fidelity in the transmission of telegraphic messages, passed April, eighteen hundred and sixty-two—taken up out of its place, the rules again suspended, and the bill read third time, and passed.

Assembly bill No. 391, an Act to authorize Samuel Brannan to convey certain lands for cemetery purposes in the City and County of Sacramento—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 127, an Act amendatory of the Act regulating proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one, and of the Acts amending the same—rules suspended, read third time, and passed.

Assembly bill No. 374, an Act to amend an Act entitled an Act to authorize the sale of certain real estate by Guardians, approved April eleventh, eighteen hundred and sixty—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 203, an Act for the relief of John Wigmore—substitute adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 224, an Act to grant to Moses F. Hoit and his associates the right to construct a toll road and bridge in Nevada County—rules suspended, read third time, and passed.

Assembly bill No. 401, an Act to prevent the trespassing of hogs, sheep, and goats, upon private property in the County of Calaveras—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 358, an Act to authorize the Common Council of the City of Marysville, Yuba County, to pay back to the Society of the Sisters of Notre Dame certain moneys received for taxes.

Mr. Beaman moved the indefinite postponement of the bill

On which, the ayes and noes were demanded, by Messrs. Kewen, Hill, and McColliam, and the bill was indefinitely postponed by the following vote :

AYES—Messrs. Allen, Beaman, Bowman, Brooks, Brown of Amador, Chappell, Clark, Clayton, Devoe, Dow, Dutton, Dyer, Erkson, Fraser, Green, Hartsough, Hittell, Hunt, Jenison, Langdon, Ludlow, McColliam, Mebius, Parker, Perley, Personette, Redfield, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Wood, and Wright—40.

NOES—Messrs. Badlam, Brown of Tulare, Dickinson, Dodson, Gray, Hill, Hoag, Hirst, Kendrick, Kewen, Martin, Perrin, Pratt, Rhoads, Sepulveda, Smith of Sonoma, Tukey, Weston, Wilcox, Wilsey, Winchester, and Whallon—22.

Assembly bill No. 405, an Act to provide for the continuance and election of a Board of Supervisors in and for the County of San Mateo, and to define and limit the powers and duties of said Board in certain cases—rules suspended, considered engrossed, read third time, and passed, and ordered transmitted to Senate.

Assembly bill No. 407, an Act supplementary to an Act entitled an Act for the better protection of the agricultural interests in certain counties, and for the more effectual prevention of the trespassing of animals upon private property, passed March eleventh, eighteen hundred and sixty-four.

Mr. Snyder moved to indefinitely postpone the bill.

Mr. Wright moved the previous question.

Sustained.

On adopting the motion of Mr. Snyder, the ayes and noes were demanded, by Messrs. Snyder, Watson, and Winchester, and taken, with the following result :

AYES—Messrs. Badlam, Brown of Amador, Dickinson, Fraser, Hubbard, Langdon, Pratt, Redfield, Scott of Alameda, Smith of Sonoma, Snyder, Van Schaick, and Wright—13.

NOES—Messrs. Allen, Beaman, Brooks, Campbell of San Francisco, Chappell, Cherry, Clark, Devoe, Dutton, Erkson, Hoag, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Ludlow, Lux, McColliam, Mebius, Parker, Perley, Perrin, Rhoads, Sepulveda, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilsey, and Whallon—36.

On ordering the bill engrossed, the ayes and noes were demanded, by Messrs. Snyder, Pratt, and Redfield, and the House so ordered, by the following vote :

AYES—Messrs. Beaman, Buffum, Campbell of San Francisco, Chappell, Cherry, Devoe, Dodson, Hill, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Lux, Mebius, Perley, Sepulveda, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Wilsey, Winchester, Whallon, and Wood—32.

NOES—Messrs. Badlam, Brown of Amador, Dickinson, Dow, Fraser, Langdon, Martin, McColliam, Parker, Perrin, Pratt, Redfield, Rhoads, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Snyder, Weston, and Wright—19.

On motion of Mr. Campbell of San Francisco, the rules were suspended, the bill considered engrossed, and read third time.

On its passage, the ayes and noes were demanded, by Messrs. Snyder, Erkson, and Winchester, and the bill passed, by the following vote:

AYES—Messrs. Beaman, Brown of Tulare, Buffum, Campbell of San Francisco, Chappell, Cherry, Clayton, Devoe, Dodson, Gray, Hill, Hit-tell, Hoag, Hunt, Hirst, Jenison, Johnson, Kewen, Ludlow, Lux, McCol-liam, Mebius, Perley, Personette, Sepulveda, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilsey, Winchester, and Whallon—36.

NOES—Messrs. Badlam, Brown of Amador, Clark, Dickinson, Dow, Erkson, Fraser, Langdon, Martin, Parker, Perrin, Pratt, Redfield, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, and Van Schaick—20.

Assembly bill No. 408, an Act concerning the Superintendent of Com-mon Schools in the County of Sonoma—rules suspended, considered en-grossed, read third time, and passed.

Assembly bill No. 243, an Act to provide a Special Fund for the con-struction of the State Capitol building at the City of Sacramento, and to submit the same to a vote of the people—indeinitely postponed, on motion of Mr. Martin.

Assembly bill No. 357, an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide for the funding of the indebt-edness of the County of San Luis Obispo outstanding on the first day of July, in the year eighteen hundred and sixty-three, approved January nineteenth, eighteen hundred and sixty-four—returned to introduce.

Senate bill No. 61, an Act amendatory of an Act entitled an Act pro-viding for the time of holding the several Courts of record in this State, passed April twenty-seventh, eighteen hundred and sixty-three—rules suspended, read third time, and passed.

Assembly bill No. 395, an Act to settle the title to lands in the Village and Town of Branciforte, in the County of Santa Cruz—amendments adopted, rules suspended, considered engrossed, read third time, and passed, and title amended.

Assembly bill No. 73, an Act concerning the salary of the County Judge of Los Angeles County—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 379, an Act to enforce the collection of road taxes in Yuba County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 283, an Act to regulate fees in the County of Fresno—rules suspended, read third time, and passed.

Senate bill No. 285, an Act to amend an Act entitled an Act to grant the right to construct a wagon road in Tulare County, approved April twenty-seventh, eighteen hundred and sixty-three—rules suspended, read third time, and passed.

Senate bill No. 284, an Act to fix the compensation of the Di-strict At-torney for the County of Fresno—rules suspended, read third time, and passed.

Senate bill No. 192, an Act concerning the office of Auditor of the County of Sacramento—indeinitely postponed.

Assembly bill No. 414, an Act to amend an Act entitled an Act concern-ing hogs running at large in the County of Solano—rules suspended, considered engrossed, read third time, and passed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 18th, 1864. }

Mr. SPEAKER :—The Senate, this day, refused to pass over the Governor's veto Assembly bill No. 202, an Act to authorize the Administrator of the estate of Josiah B. Royal, deceased, to sell the property of said estate at public or private sale.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 18th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the seventeenth instant, passed Senate bill No. 229, an Act to provide for a survey of the boundary line between Calaveras and San Joaquin Counties;

Also, same day, passed Senate bill No. 264, an Act to enable the County of Los Angeles to reduce expenses and pay off its floating debt;

Also, same day, passed Senate bill No. 185, an Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of Guardians, passed April nineteenth, eighteen hundred and fifty;

Also, same day, passed Assembly bill No. 351, an Act to authorize the transfer of certain funds from the Current Expense Fund to the Jail Fund in the County of Los Angeles;

Also, same day, passed Assembly bill No. 234, an Act to authorize L. B. Healy to sell certain real estate;

Also, same day, passed Assembly bill No. 286, an Act to authorize the Guardian of certain minor children to sell and convey real estate;

Also, same day, passed Assembly bill No. 247, an Act to authorize the Executors of the last will and testament of E. S. Cooper, deceased, to sell and convey real estate;

Also, same day, passed Assembly bill No. 282, an Act to provide for the construction of a wagon and turnpike road in the Counties of Fresno and Mono;

Also, same day, passed Assembly bill No. 274, an Act to regulate the fees and fix the salaries of certain officers in the County of Santa Clara;

Also, same day, passed Assembly bill No. 308, an Act to create the County of Lassen;

Also, same day, amended and passed Assembly bill No. 334, an Act concerning roads and highways in Santa Clara County;

Also, same day, refused to pass Assembly bill No. 305, an Act for the relief of Paschal Bequette.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 18th, 1864. }

Mr. SPEAKER :—The Senate, this day, concurred in the Assembly amendment to Senate bill No. 105, an Act to grant the right to construct a turnpike road from Campo Seco to Mokelumne Hill, thence to Big Tree Road, near the Big Meadows in Calaveras County;

Also, concurred in Assembly amendment to Senate bill No. 273, an Act

to revive and re-enact sections four and five of an Act entitled an Act amendatory of and supplementary to an Act entitled an Act concerning marks and brands, passed May first, eighteen hundred and fifty-one, and to repeal former Acts relating thereto;

Also, this day, amended and passed Assembly bill No. 87, an Act relating to the Swamp and Overflowed Land in District Number Two in the County of Sacramento.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Assembly bill No. 87, above reported, with Senate amendments, in which the House concurred.

Senate bill No. 264, above reported, read first and second times, and referred to the Los Angeles delegation.

Senate bill No. 216, above reported, read first and second times, and referred to the Sonoma delegation.

Senate bill No. 229, above reported, read first and second times, and referred to the Committee on Counties and County Boundaries.

The Assembly concurred in Senate amendments to Assembly bill No. 334, above reported.

Senate bill No. 185, above reported, read first and second times, and referred to the Judiciary Committee.

On motion of Mr. Hittell, Assembly bill No. 343 was indefinitely postponed.

Mr. Lux made the following report:

MR. SPEAKER:—The Tuolumne delegation, to whom was referred Senate bill No. 257, an Act directing the Board of Trustees of the City of Sonora to levy a special tax for the benefit of the Fire Department, have had the same under consideration, ask leave to report the same back, and recommend its passage.

LUX, for Delegation.

Senate bill No. 257, above reported, was taken up, rules suspended, read third time, and passed.

Mr. Tukey made the following report:

MR. SPEAKER:—The Sacramento delegation, to whom was referred Senate bill No. 294, an Act to provide for the redemption of the funded indebtedness of the City of Sacramento, report the same back, and recommend its passage.

TUKEY, for Delegation.

Mr. Parker had leave to introduce a bill for an Act fixing the time of holding the County Court and Probate Court in the County of Calaveras.

Read first and second times, and ordered to General File.

At four o'clock and fifty-five minutes P. M., on motion of Mr. Dodson, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY.

Saturday, March 19th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Reverend Mr. Peck.

Leave of absence for one day each was granted to Messrs. Campbell of El Dorado and Hartsough.

Journal of yesterday read and approved.

On motion of Mr. Dodson, the Judiciary Committee was added to the Committee on Ways and Means, on Governor's and Controller's messages.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 403, an Act to fix the amount of the official bonds of the county officers in and for the County of Klamath ;

Also, Assembly bill No. 410, an Act to authorize the Owens River Canal Company to improve the channel of said river ;

Also, Assembly bill No. 373, an Act amendatory of an Act entitled an Act to regulate proceedings in civil cases, passed April twenty-ninth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 338, an Act concerning jurors in Plumas County ;

Also, Assembly bill No. 409, an Act concerning fences in Tuolumne County ;

Also, Assembly bill No. 383, an Act to grant the right to construct a turnpike road between Forest Hill and Grasshopper Ranch, in the County of Placer, with branches thereto, and to construct and maintain a bridge thereon, to J. L. Sanborn, his associates and assigns.

DYER, Chairman.

Mr. Perley, from the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims, to whom was referred Senate bill No. 242, an Act for the relief of J. A. Moultrie, have had the same under consideration, and beg leave to report it back to the House, recommending its passage.

PERLEY, for Committee.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report :

MR. SPEAKER :—Your Committee on Hospitals, to whom was referred

Assembly bill No. 361, have had the same under consideration, and report it back without recommendation.

BUFFUM, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 150, an Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three, have had the same under consideration, and report the same back, with the recommendation that the House recede from its amendment to section four ;

Also, Assembly bill No. 104, an Act concerning grand and trial jurors in the Counties of Monterey, San Luis Obispo, Santa Barbara, and Los Angeles, and report the bill back with a substitute, and recommend the passage of the substitute ;

Also, Senate bill No. 292, an Act explanatory of and supplemental to an Act entitled an Act to amend an Act entitled an Act to regulate fees in office in certain counties in this State, approved April eighth, eighteen hundred and sixty-two, and report the same, with recommendation of passage.

CAMPBELL of San Francisco, Chairman.

Mr. Hubbard made the following report :

MR. SPEAKER :—I desire to return the bill No. 411, relating to corporations, amended by adding an additional section.

HUBBARD.

Mr. Scott of Siskiyou offered the following resolution :

Resolved, That it is the duty of the Speaker of the Assembly to secure female companions for all members who are so unfortunate as not to have secured such companions for themselves.

Referred to the Committee on Public Morals.

Mr. Cherry made the following report :

MR. SPEAKER :—The San Francisco delegation, to whom was referred Assembly bill No. 219, an Act to confirm and legalize certain assessment rolls of the City and County of San Francisco, and to provide for the collection of the delinquent taxes thereon, having had the same under consideration, report it back to the House without amendment, and recommend its passage.

CHERRY, for Delegation.

Mr. Whallon made the following report :

MR. SPEAKER :—The Sonoma delegation, to whom was referred Senate bill No. 216, an Act in relation to the Recorder of the City of Petaluma, beg leave to report the same back to the House, with a recommendation that it pass.

WHALLON,
SMITH,
HOAG.

Mr. Walker of Alameda moved to suspend the rules and take up Senate bill No. 150, reported by the Judiciary Committee.

The motion prevailed.

The House recessed from its amendments not concurred in by the Senate.

Mr. Campbell of San Francisco offered a concurrent resolution relative to the admission, free of duty, of telegraph materials for the construction of a telegraph line from California to Mexico.

Adopted.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER,
March 19th, 1864. }

Mr. SPEAKER:—The Senate, on yesterday, passed Assembly bill No. 346, an Act changing the time for assessing real and personal property, etc., in Sierra County;

Also, same day, passed Assembly bill No. 371, an Act providing for the construction of a wagon road from the City of San Bernardino to the Mojave River;

Also, same day, passed Assembly bill No. 312, an Act granting James L. Hall and his associates the right to lay down gas pipes in the Town of Brown's Valley, in Yuba County;

Also, same day, passed Assembly bill No. 344, an Act to change the name of Frances Anne Blackwell to Frances Anne Hopper;

Also, same day, passed Assembly bill No. 232, an Act to grant John N. Duddleston and his associates and assigns the right to construct and maintain a toll road in Mono County;

Also, same day, passed Assembly bill No. 339, an Act granting further powers to the Board of Supervisors of the County of Sacramento;

Also, same day, passed Assembly bill No. 290, an Act to provide for the election of Township Assessors in the County of Alameda;

Also, same day, passed Assembly bill No. 299, an Act to amend an Act passed May second, eighteen hundred and sixty-two, entitled an Act to grant the right to construct a turnpike road from the Town of La Porte, County of Sierra, through or near the Beckwith Pass, to the eastern boundary line of this State;

Also, same day, passed Assembly bill No. 387, an Act to repeal an Act entitled an Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, same day, passed Assembly bill No. 272, an Act to grant to William Beale the right to construct a toll road from Armes' Store, in Sierra Valley, to the Junction House on the Henness Pass Road, in the County of Sierra, and to collect toll thereon;

Also, same day, passed Assembly bill No. 384, an Act to amend an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, same day, passed Assembly bill No. 167, an Act to authorize the Board of Supervisors of Butte County to loan certain money;

Also, same day, amended and passed Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress;

Also, same day, amended and passed Assembly bill No. 296, an Act to

amend an Act to incorporate the Town of Downieville, approved March eighteenth, eighteen hundred and sixty-three ;

Also, same day, indefinitely postponed Assembly bill No. 386, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, same day, passed Senate bill No. 172, an Act to authorize Thomas Cutler, D. M. Kenfield, John Sedgwick, and their associates or assigns, to construct and maintain a toll road in the County of Tuolumne ;

Also, same day, passed Senate bill No. 358, an Act to provide for the settlement of certain land claims within the City and County of San Francisco ;

Also, same day, passed Senate bill No. 287, an Act to fix the salary of the Clerk of the Board of Supervisors of the County of Sonoma ;

Also, same day, passed Senate concurrent resolution No. 29, relative to the return, by the Governor, of Senate bill No. 160, for correction.

A. W. BISHOP,

Assistant Secretary.

Mr. Hill moved to take up Assembly bill No. 104, an Act concerning grand and trial jurors in the Counties of Monterey, San Luis Obispo, Santa Barbara, and Los Angeles.

Amendments adopted, rules suspended, read third time, and passed.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 172, above reported, read first and second times, and referred to the Tuolumne delegation.

Senate bill No. 358, above reported, read first and second times, and ordered to file.

Senate bill No. 287, above reported, read first and second times, and referred to the Sonoma delegation.

The House concurred in Senate concurrent resolution No. 29, above reported.

The House concurred in Senate amendments to Assembly bill No. 232, above reported.

Assembly bill No. 59, above reported, with Senate amendment, referred to the Judiciary Committee.

Mr. Wright made a verbal report relative to Assembly bills No. 244 and No. 321, recommending their reference to the Judiciary Committee.

They were so referred.

Assembly bill No. 418, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco.

Read second time, and referred to the San Francisco delegation.

INTRODUCTION OF BILLS

Bills were introduced as follows :

By Mr. Wiley, for an Act amendatory of and supplemental to an Act entitled an Act to establish a standard of weights and measures, passed April fourth, eighteen hundred and sixty-one.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Buffum, for an Act concerning the insane of California.

Read first and second times, and referred to the Committee on Hospitals.

By Mr. Dickinson, for an Act to better define the boundary line between the Counties of Stanislaus and Merced, and to provide for the permanent location of the same.

Read first and second times, and referred to the Stanislaus and Merced delegations.

By Mr. Badlam, for an Act to amend an Act entitled an Act to amend section eighty-two of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

GENERAL FILE.

Assembly bill No. 61, an Act to amend the election law, and to establish a uniform system of registry throughout the State—ordered to top of file for Wednesday, March twenty-third.

Assembly bill No. 115, an Act to provide for the collating, compiling, and digesting the laws of the State of California—ordered second on file for Wednesday, March twenty-third.

Assembly bill No. 333, an Act to provide a Commission to codify the laws of this State—ordered third on file for Wednesday, March twenty-third.

Assembly bill No. 406, an Act to provide for a digest of the general laws of California—ordered fourth on file for Wednesday, March twenty-third.

Assembly bill No. 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three—recommitted to Committee on Military Affairs.

Assembly bill No. 396, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fifth, eighteen hundred and sixty-three—ordered fifth on file for Wednesday, March twenty-third.

Assembly bill No. 204, an Act to authorize the sale and conveyance to the Pacific Glass Works of certain Overflowed Lands in the City and County of San Francisco—ordered to top of file for Thursday, March twenty-fourth.

Senate bill No. 216, an Act in relation to the Recorder of the City of Petaluma—read third time, and passed.

Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence.

Mr. Hubbard moved to place the bill at top of file for Wednesday, March twenty-third.

On which, the ayes and noes were demanded, by Messrs. Martin, Hirst, and Devoe, and the House agreed, by the following vote:

AYES—Messrs. Allen, Badlam, Boulware, Brooks, Cherry, Clayton, Dodson, Dow, Dutton, Green, Hittell, Hubbard, Jenison, Ludlow, McCollum, Mobius, Owen, Perley, Personette, Scott of Alameda, Smith of

Nevada, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Watson, and Wood—29.

NOES—Messrs. Beaman, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Castro, Chappell, Clark, Devoe, Dickinson, Erks-son, Fraser, Hill, Hoag, Hirst, Johnson, Kendrick, Langdon, Littlefield, Martin, Parker, Redfield, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Van Leuven, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, Whallon, and Wright—34.

Mr. Hubbard moved to go into Committee of the Whole to consider the bill.

On which, Messrs. Martin, Beaman, and Devoe, demanded the ayes and noes, and the motion was lost, by the following vote:

AYES—Messrs. Allen, Boulware, Campbell of San Francisco, Cherry, Dodson, Dow, Dutton, Erks-son, Gray, Green, Hubbard, Jenison, Johnson, Ludlow, McColliam, Mebius, Owen, Perley, Rule, Smith of Nevada, Sumner, Teare, Tukey, Walker of Alameda, Wason, Weston, Winchester, and Wood—28.

NOES—Messrs. Badlam, Beaman, Brown of Amador, Brown of Tulare, Chappell, Clark, Devoe, Dickinson, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Kewen, Langdon, Littlefield, Martin, Parker, Perrin, Personette, Pratt, Redfield, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Van Leuven, Walker of Fresno, Watson, Wilcox, Wilsey, Whallon, and Wright—35.

Mr. Wright moved to adopt the amendments proposed in Committee of the Whole, en masse.

Mr. Hittell moved to return to file.

Mr. Martin moved to adjourn.

On which the ayes and noes were demanded, by Messrs. Boulware, Martin, and Weston, and the motion was lost, by the following vote:

AYES—Messrs. Allen, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Dodson, Dyer, Hill, Johnson, Langdon, Littlefield, Lux, Martin, Personette, Redfield, Rhoads, Scott of Siskiyou, Sumner, Wilcox, Wilsey, and Winchester—22.

NOES—Messrs. Badlam, Beaman, Boulware, Chappell, Cherry, Clark, Devoe, Dickinson, Dow, Dutton, Erks-son, Fraser, Gray, Green, Hittell, Hoag, Hubbard, Hirst, Kendrick, Kewen, Ludlow, McColliam, Owen, Parker, Perrin, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Snyder, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Whallon, and Wright—39.

The motion of Mr. Wright was withdrawn.

The motion of Mr. Hittell was, on division, declared lost.

Mr. Cherry moved to strike out the enacting clause of the bill.

Mr. Wright demanded the previous question.

Sustained.

Pending consideration, Mr. Dodson moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Dodson, Hittell, and Walker of Alameda, and at twelve o'clock and twenty minutes P. M., the House so ordered, by the following vote:

AYES—Messrs. Allen, Beaman, Bowman, Brooks, Brown of Amador,

Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Chappell, Clark, Clayton, Dodson, Dow, Dutton, Dyer, Gray, Green, Hill, Jenison, Johnson, Langdon, Littlefield, Lux, McColliam, Owen, Perley, Perrin, Personette, Redfield, Scott of Alameda, Scott of Siskiyou, Snyder, Sumner, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Wilcox, Wilsey, and Winchester—43.

NOES—Messrs. Badlam, Boulware, Cherry, Devoe, Dickinson, Erkson, Fraser, Hittell, Hoag, Hubbard, Hirst, Kendrick, Kewen, Parker, Rulo, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Walker of Fresno, Weston, Whallon, and Wood—23.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 21st, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of Saturday last read and approved.

One day leave of absence was granted to all absentees.

PETITIONS.

Mr. Personette presented a petition of citizens of Trinity County, asking for the passage of an Act to regulate the fees of officers in the County of Trinity.

Read and referred to the Trinity delegation.

Mr. Personette asked and obtained leave to introduce a bill for an Act to regulate the fees of officers in Trinity County.

Read first and second times, and referred to the Trinity delegation.

Mr. Sumner presented a petition of citizens of Butte County, asking for the repeal of the specific contract law.

Referred to the Judiciary Committee.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 104, an Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 374, an Act to amend an Act entitled an Act to authorize the sale of certain real estate by Guardians ;

Also, Assembly bill No. 391, an Act authorizing Samuel Brannan to convey certain lands for cemetery purposes in the City and County of Sacramento ;

Also, Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers.

DYER, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

Mr. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 359, an Act concerning partnerships for mining purposes, have had the same under consideration, report the bill back with a substitute, and recommend the passage of the substitute ;

Also, Senate bill No. 295, an Act supplementary to an Act entitled an Act to exempt firemen from militia service and jury duty, passed March twenty-fifth, eighteen hundred and fifty-three, and recommend the passage of the same.

CAMPBELL of San Francisco, Chairman.

Mr. Ludlow, Chairman of the Committee on Roads and Highways, made the following report :

Mr. SPEAKER :—Your Committee on Roads and Highways, to whom was referred Senate bill No. 286, an Act granting parties therein named the right to construct a wagon road, and collect tolls thereon, have had the same under consideration, and beg leave to report it back without recommendation, as the rights asked for can be had under the general law, without special enactment, except the time for holding of the franchise, which your committee think is too long as asked for in this bill.

LUDLOW, Chairman.

Mr. Littlefield, from the Committee on Public Expenditures, made the following report :

Mr. SPEAKER :—Your Committee on Public Expenditures, having examined, and found correct, the following bills, beg leave to report the same, and recommend the adoption of the accompanying resolution :

| To whom due. | Amount. |
|---|---------|
| To Evening Journal Company..... | \$36 70 |
| To James Anthony & Company..... | 34 25 |
| To C. A. Carolan, for Sunday Mercury..... | 21 00 |
| To Solano Press..... | 6 00 |
| Total..... | \$97 95 |

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of the following persons, to wit: Evening Journal Company, for thirty-six dollars and seventy cents; James Anthony & Company, for thirty-four dollars and twenty-five cents; C. A. Carolan, for twenty-one dollars; Solano Press, for six dollars.

LITTLEFIELD, for Committee.

The resolution was adopted.

Mr. Scott of Alameda made the following report :

Mr. SPEAKER :—The Alameda delegation, to whom was referred Senate bill No. 203, an Act to provide for the erection of a Jail and the repair of a Court-house in the County of Alameda, ask leave to report it back to the House, with amendments, and recommend the passage of the same as amended.

SCOTT of Alameda, for Delegation.

On motion of Mr. Scott, the bill above reported was taken up and considered, amendments adopted, rules suspended, bill read third time, and passed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 18th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 235, an Act relative to Justices of the Peace in the City of Stockton ;

Also, Assembly bill No. 313, an Act to create a Special Fund for the erection of a Jail in the County of San Bernardino ;

Also, Assembly bill No. 280, an Act to amend an Act concerning Teachers of Common Schools in this State, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 93, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved April twenty-ninth, eighteen hundred and fifty-seven ;

Also, Assembly bill No. 324, an Act to transfer certain moneys from the General Fund of Tehama to the Tehama County Wagon Road Interest and Redemption Fund ;

Also, Assembly bill No. 375, an Act to authorize the Board of Supervisors of the County of Siskiyou to transfer certain funds belonging to the County Hospital General Fund to the School Fund ;

Also, Assembly bill No. 385, an Act to provide for Recorders and Auditors in certain counties in this State, and to legalize the acts of certain officers.

FRED'K F. LOW,
Governor.

MESSAGE FROM THE SENATE.

The following message was received from the Senate :

SENATE CHAMBER, }
March 19th, 1864. }

Mr. SPEAKER :—The Senate, this day, concurred in Assembly concurrent resolution No. 39, authorizing and requesting the Governor to return to the Chairman of the Enrolling Committee of the House, Assembly bill No. 216, for the purpose of making a correction in the enrolment of said bill ;

Also, on the nineteenth instant, passed Assembly bill No. 405, an Act

to provide for the continuance and election of a Board of Supervisors in and for the County of San Mateo, and to define and limit the powers and duties of said Board in certain cases;

Also, same day, passed Assembly bill No 283, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two.

A. W. BISHOP,
Assistant Secretary.

GENERAL FILE.

Senate bill No. 254, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three—amendments of committee adopted, and bill returned to file.

Assembly bill No. 394, an Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one—ordered engrossed and read third time.

Assembly bill No. 332, an Act to amend an Act entitled an Act to amend an Act entitled an Act to authorize the formation of corporations for the construction of plank and turnpike roads, passed May twelfth, eighteen hundred and fifty-three, approved April twenty-eighth, eighteen hundred and fifty-seven—indefinitely postponed.

Senate bill No. 337, an Act to authorize the Board of State Harbor Commissioners to employ Counsel in San Francisco.

Mr. Cherry moved to amend the bill by striking out "five," and inserting "three."

Adopted.

Rules suspended, bill read third time, and passed.

Assembly bill No. 370, an Act to authorize the sale and conveyance to the Potrero Homestead Association of certain Overflowed Lands in the City and County of San Francisco—indefinitely postponed.

Senate bill No. 297, an Act supplementary to the Act entitled an Act concerning crimes and punishments—ordered second on file for Thursday, March twenty-fourth.

Assembly bill No. 402, an Act to authorize the sale and conveyance to the San Francisco Cordage Company of certain Overflowed Lands in the City and County of San Francisco—amendment of committee adopted, and bill returned to file.

Assembly bill No. 400, an Act to grant the right to construct a turnpike road from the Town of Searsville, in the County of San Mateo, to the Town of Pescadero, in the County of Santa Cruz—amended, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 67, an Act supplementary to an Act entitled an Act to provide for the disposal of the five hundred thousand acres of land granted this State by Act of Congress, passed April fourth, eighteen hundred and forty-one, passed May third, eighteen hundred and fifty-two, and of an Act entitled an Act to provide for the location of School Land warrants upon unsurveyed lands, and for the issuance of title for the same, approved April eighteenth, eighteen hundred and fifty-nine—rules suspended, read third time, and passed.

Senate bill No. 170, an Act to suspend the laws allowing the sale of unsurveyed lands, and relating to the issuance of patents—rules suspended, read third time, and passed.

Senate bill No. 265, an Act to amend an Act amendatory of and supplemental to an Act in relation to personal mortgages—rules suspended, read third time, and passed.

Assembly bill No. 165, an Act to amend an Act entitled an Act concerning the office of Controller, passed January nineteenth, eighteen hundred and fifty—indefinitely postponed.

Assembly bill No. 416, an Act to provide for funding the indebtedness of the County of Colusa—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 419, an Act fixing the time of holding the County Court and Probate Court in the County of Calaveras—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 294, an Act to provide for the redemption of the funded indebtedness of the City of Sacramento—rules suspended, read third time, and passed.

Senate bill No. 242, an Act for the relief of J. A. Moultrie—considered in Committee of the Whole, (Mr. Badlam in the Chair)

IN ASSEMBLY.

Reported and recommended.

Mr. Devoe moved the indefinite postponement of the bill.

On which, the ayes and noes were demanded, by Messrs. Devoe, Dickinson, and Hirst, and taken, with the following result:

AYES—Messrs. Beaman, Brown of Amador, Clark, Devoe, Dow, Fraser, Hirst, Johnson, Littlefield, Ludlow, Martin, Redfield, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Leuven, Walker of Alameda, Wason, and Weston—21.

NOES—Messrs. Boulware, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Dickinson, Dyer, Erkson, Hoag, Hunt, Kendrick, Kewen, Langdon, Owen, Parker, Perrin, Rhoads, Sepulveda, Teare, Tukey, Van Schaick, Walker of Fresno, Wilsey, and Winchester—24.

On the third reading of the bill, the ayes and noes were demanded, by Messrs. Weston, Beaman, and Walker of Alameda, and taken, with the following result:

AYES—Messrs. Boulware, Campbell of El Dorado, Campbell of San Francisco, Cherry, Dickinson, Dyer, Erkson, Hoag, Hunt, Kendrick, Langdon, Owen, Perrin, Sepulveda, Teare, Tukey, Van Schaick, Walker of Fresno, Wilsey, and Winchester—20.

NOES—Messrs. Beaman, Brown of Amador, Chappell, Clark, Devoe, Dow, Fraser, Hirst, Kewen, Littlefield, Ludlow, Martin, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Leuven, Walker of Alameda, Wason, Weston, and Wright—25.

Mr. Kewen gave notice of intention to move a reconsideration of the vote by which the House refused to pass the bill.

Mr. Wright gave notice of intention to move a reconsideration of the vote whereby the House passed Senate bill No. 170, an Act to suspend the laws allowing the sale of unsurveyed lands, and relating to the issuance of patents.

Senate bill No. 292, an Act explanatory of and supplementary to an

Act entitled an Act to regulate fees in office in certain counties in this State, approved April eighth, eighteen hundred and sixty-two—rules suspended, read third time, and passed.

REPORTS.

Mr. Kewen, by leave, made the following report :

MR. SPEAKER :—The Los Angeles delegation, to whom was referred Senate bill No. 264, an Act to enable the County of Los Angeles to reduce expenses and pay off its floating debt, have had the same under consideration, and beg leave to report the same back, with the recommendation of its passage.

KEWEN,
SEPULVEDA.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 286, an Act to authorize the Guardian of certain minor children to sell and convey real estate ;

Also, Assembly bill No. 106, an Act in relation to roads and Road Masters in Solano County ;

Also, Assembly bill No. 234, an Act to authorize Lucien B. Healy to sell certain real estate ;

Also, Assembly bill No. 351, an Act to authorize the transfer of certain funds from the Current Expense Fund to the Jail Fund in the County of Los Angeles ;

Also, Assembly bill No. 247, an Act to authorize the Executors of the last will and testament of Elias S. Cooper, deceased, to sell and convey real estate ;

Also, Assembly bill No. 282, an Act to provide for the construction of a wagon and turnpike road in the Counties of Fresno and Mono ;

Also, Assembly bill No. 216, an Act supplementary to and amendatory of the Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools.

And this twenty-first day of March, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

The committee have also examined, and found correctly enrolled, Assembly concurrent resolution No. 36, in relation to the destruction of eight pieces of artillery in a raid on the fourteenth instant ;

Also, Assembly concurrent resolution No. 37, relative to the publication by the Secretary of State of certain documents therein designated ;

And this twenty-first day of March, eighteen hundred and sixty-four, have deposited the same in the office of the Secretary of State.

REDFIELD, Chairman.

On motion of Mr. Teare, the House took up Assembly bill No. 359, an Act concerning partnerships for mining purposes—amended, rules suspended, considered engrossed, read third time, and passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Wright, for an Act to amend an Act concerning District Court Reporters for the Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, approved May seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Sepulveda, for an Act more particularly to define the boundaries of the County of Los Angeles.

Read first and second times, and referred to the delegations from Los Angeles and Santa Barbara.

Mr. Langdon asked leave to present a resolution, as follows :

Resolved, That in the opinion of this Assembly, all necessary expenses of administering the State government constitute a liability authorized and required by the Constitution, and so far from being a debt or liability created by the Legislature is, on the contrary, one which the Legislature has no constitutional power to prevent; we therefore hold that the refusal of the Controller to draw his warrants for the payment of current expenses of the State is based upon a misinterpretation of the Constitution.

Referred jointly to the Committees on Ways and Means and Judiciary.

On motion of Mr. Martin, at one o'clock and thirty minutes p. m., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 22d, 1864 }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Pratt was granted one day leave of absence.

Journal of yesterday read and approved.

Mr. Wilcox moved to reconsider the vote by which the House passed Senate bill No. 170, an Act to suspend the laws allowing the sale of unsurveyed lands, and relating to the issuance of patents.

The vote was reconsidered, and Mr. Wilcox, by unanimous consent, offered an amendment, as follows: Amend, by striking out section two, and insert in section three, line two, after the word "overflowed," the words "salt marsh and tide."

Without acting on the amendment, on motion of Mr. Scott, the bill was placed on file.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 407, an Act supplementary to an Act entitled an Act for the better protection of the agricultural interests in certain counties, and for the more effectual prevention of the trespassing of animals upon private property, passed March eleventh, eighteen hundred and sixty-four;

Also, Assembly bill No. 310, an Act making appropriations for deficiencies in appropriations made for the fourteenth and fifteenth fiscal years, ending on the thirtieth day of June, eighteen hundred and sixty-four;

Also, Assembly bill No. 408, an Act concerning the Superintendent of Common Schools in the County of Sonoma;

Also, Assembly bill No. 414, an Act to amend an Act entitled an Act concerning hogs running at large in the County of Solano;

Also, Assembly bill No. 203, an Act to authorize the Governor of the State of California to convey certain real estate;

Also, Assembly bill No. 379, an Act to enforce the collection of road taxes in Yuba County;

Also, Assembly bill No. 73, an Act concerning the salary of the County Judge of Los Angeles County;

Also, Assembly bill No. 363, an Act to pay the claim of E. C. Palmer, for rent and stationery;

Also, Assembly bill No. 195, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act providing a Fund for the use of the State Library, passed May first, A. D. eighteen hundred and fifty-two, approved May eleventh, eighteen hundred and fifty-three;

Also, Assembly bill No. 369, an Act to authorize the Board of Supervisors of Humboldt County to annul certain bonds;

Also, Assembly bill No. 103, an Act to prohibit gaming;

Also, Assembly bill No. 412, an Act to authorize the formation of an association for the improvement of horses and neat cattle;

Also, Assembly bill No. 186, an Act to audit and allow a certain claim;

Also, Assembly bill No. 394, an Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

DYER, Chairman.

Mr. Walker of Alameda, from the Judiciary Committee, made the following report:

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 185, an Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of Guardians, have considered the same, and report:

The law sought to be amended by this bill provides that whenever it shall be represented to the Probate Judge, upon petition, under oath, by any relative or friend of any insane person, or of any person who by reason of extreme old age, or other cause, is mentally incompetent to manage his property, said Judge shall, upon notice and examination in the mode prescribed by the statute, and upon being satisfied of the necessity, appoint a Guardian of the person and estate of such person.

The bill before us seeks to extend the provisions of the Act just cited so as to embrace "insane or incompetent persons" not resident of this State, who are "possessed of property, interests, or claims" within this

State. It authorizes such a proceeding in cases even where such insane or incompetent person has a Guardian in the State, Territory, or country where he resides. The notice to the insane person and to his Guardian may be personal, or it may be by publication, as in other suits at law against non-residents, under the order of the Judge.

If, upon such application, notice, and proceedings, a Guardian be appointed for such insane or incompetent person, such Guardian shall be Guardian of his person, or estate, or both, with the powers and duties specified in the Act sought to be amended.

Your committee cannot favor such a proposition. Extraordinary cases might arise which could justify clothing Courts with such a power upon the application of the family of such insane or incompetent person, such family being resident in this State, and abandoned by its controlling but insane or incompetent head. Even in such case, it would involve the confounding of the two legally distinct offices—those of Guardian and Trustee—the former always involving charge of the person, which may be with or without charge of property; the latter applying to property alone. It would be “a Guardian without a ward.” But, as proposed by this bill, to allow any person, as friend, to institute and prosecute such a proceeding, especially to extend it to a person who is in charge of a legal Guardian in the State, Territory, or country where he resides, requiring no other proof of notice than the ordinary one of publication and its usual formularies, your committee cannot but regard as a proposition outside of the scope of safe or proper legislation.

Your committee therefore report the bill back to the House, and recommend its indefinite postponement.

WALKER of Alameda, for Committee.

Mr. Wilcox moved to reconsider the vote whereby the House refused to pass Senate bill No. 242, an Act for the relief of J. A. Moultrie.

Mr. Rule moved to indefinitely postpone the motion to reconsider.

Mr. Wiley moved the previous question.

Sustained.

On Mr. Rule's motion, the ayes and noes were demanded, by Messrs. Rule, Walker, and Smith of Nevada, and the roll was called, with the following result:

AYES—Messrs. Beaman, Brown of Amador, Castro, Clark, Devoe, Dow, Dutton, Fraser, Gray, Green, Hittell, Hirst, Littlefield, Ludlow, McCollum, Parker, Personette, Redfield, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Leuven, Walker of Alameda, and Weston—26.

NOES—Messrs. Alley, Badlam, Bowman, Boulware, Brooks, Campbell of El Dorado, Campbell of San Francisco, Chappell, Clayton, Dickinson, Dodson, Dyer, Erkson, Hill, Hunt, Jenison, Johnson, Kendrick, Kewen, Langdon, Lux, Owen, Perley, Perrin, Rhoads, Sepulveda, Teare, Tukey, Van Schaick, Walker of Fresno, Wason, Watson, Wilcox, Wiley, Wilsey, and Wood—36.

On the motion to reconsider, the ayes and noes were demanded, by Messrs. Dow, Rule, and Littlefield, and the motion was sustained, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Bowman, Boulware, Brooks, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry,

Clayton, Dickinson, Dodson, Dyer, Erkson, Hill, Hunt, Jenison, Kendrick, Kewen, Langdon, Lux, Owen, Perley, Perrin, Rhoads, Sepulveda, Teare, Tukey, Van Schaick, Walker of Fresno, Wason, Watson, Wilcox, Wiley, Wilsey, Winchester, and Wood—38.

NOES—Messrs. Beaman, Brown of Amador, Castro, Clark, Devoe, Dow, Dutton, Fraser, Gray, Hittell, Hirst, Johnson, Littlefield, Ludlow, McColliam, Personette, Redfield, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Leuven, Walker of Alameda, and Weston—25.

The bill was then ordered to third reading.

GENERAL FILE.

Assembly bill No. 331, an Act to abolish the office of State Gauger.

Mr. Tukey moved to indefinitely postpone the further consideration of the bill.

On which, the ayes and noes were demanded, by Messrs. Tukey, Clayton, and McColliam, and the bill was indefinitely postponed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Boulware, Campbell of El Dorado, Campbell of San Francisco, Cherry, Devoe, Dodson, Dutton, Dyer, Fraser, Hill, Hubbard, Hunt, Hirst, Ludlow, Lux, Martin, Perley, Rhoads, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Wason, Watson, Weston, Wilcox, Wiley, and Wilsey—33.

NOES—Messrs. Beaman, Bowman, Brooks, Brown of Amador, Castro, Chappell, Clark, Clayton, Dickinson, Dow, Erkson, Gray, Green, Hittell, Hoag, Jenison, Johnson, Kendrick, Kewen, Langdon, Littlefield, McColliam, Owen, Perrin, Redfield, Scott of Alameda, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wood, and Wright—32.

Assembly bill No. 410, an Act to authorize the Owens River Canal Company to improve the channel of said river.

Mr. Perrin moved to recommit the bill to the Committee on Internal Improvements, with special instructions.

The House so ordered.

Senate bill No. 254, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three—rules suspended, read third time, and passed

Assembly bill No. 277, an Act to amend the revenue law—returned to the file.

Assembly bill No. 341, an Act concerning mortgages—indefinitely postponed.

Assembly bill No. 402, an Act to authorize the sale and conveyance to the San Francisco Cordage Company of certain Overflowed Lands in the City and County of San Francisco

Mr. McColliam offered an amendment, which was adopted, and the bill ordered engrossed and read third time.

Assembly bill No. 82, an Act supplemental to an Act entitled an Act to provide for the sale of certain lands belonging to the State—recommitted to Committee on Public Lands.

Assembly bill No. 411, an Act supplemental to an Act entitled an Act to amend an Act relating to corporations, passed May eighteenth, eigh-

teen hundred and sixty-three—amendments adopted, rules suspended, bill considered engrossed, read third time, and passed.

Assembly bill No. 219, an Act to confirm and legalize certain assessment rolls of the City and County of San Francisco, and to provide for the collection of the delinquent taxes thereon—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 264, an Act to enable the County of Los Angeles to reduce expenses and pay off its floating debt—rules suspended, read third time, and passed.

Senate bill No. 286, an Act granting parties therein named the right to construct a wagon road, and to collect tolls thereon—rules suspended, read third time, and passed.

Senate bill No. 295, an Act supplemental to an Act entitled an Act to exempt firemen from militia service and jury duty, passed March twenty-fifth, eighteen hundred and fifty-three—read third time, and passed.

FURTHER REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 339, an Act granting further powers to the Board of Supervisors of the County of Sacramento ;

Also, Assembly bill No. 405, an Act to provide for the continuance and election of a Board of Supervisors in and for the County of San Mateo, and to define and limit the powers and duties of said Board in certain cases ;

Also, Assembly bill No. 167, an Act to authorize the Board of Supervisors of Butte County to loan certain money ;

Also, Assembly bill No. 299, an Act to amend an Act passed May second, eighteen hundred and sixty-two, entitled an Act to grant the right to construct a turnpike road from the Town of La Porte, County of Sierra, through or near the Beckwith Pass, to the eastern boundary line of this State ;

Also, Assembly bill No. 312, an Act granting James L. Hall and his associates the right to lay down gas pipes in the Town of Brown's Valley, in Yuba County ;

Also, Assembly bill No. 371, an Act supplementary and amendatory of an Act entitled an Act to amend an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County, approved April thirteenth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 274, an Act to regulate the fees and fix the salaries of certain officers in the County of Santa Clara ;

And, this twenty-second day of March, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Weston made a report from the Committee on Hospitals.

Ordered printed.

[For report, see Appendix.]

Mr. Dyer, from the Committee on Engrossment, made a verbal report on Assembly bill No. 417, an Act to amend an Act entitled an Act

amendatory of an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou.

The vote by which the bill was passed was reconsidered, and the bill indefinitely postponed.

Mr. Perrin, from the Committee on Internal Improvements, to whom was referred Assembly bill No. 410, an Act to authorize the Owens River Canal Company to improve the channel of said river, with special instructions, reported the bill back, with the amendments ordered by the House.

Amendments adopted, and the bill read third time, and passed.

Mr. Fraser, from the Committee on Counties and County Boundaries, made the following report :

MR. SPEAKER :—Your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 229, an Act to provide for a survey of the boundary line between Calaveras and San Joaquin Counties, beg leave to report that they have examined the same, and report the bill back to the House, and recommend its passage.

FRASER, for Committee.

Mr. Sepulveda made the following report :

MR. SPEAKER :—The delegations from Los Angeles and Santa Barbara, to whom was referred Assembly bill No. 425, an Act more particularly to define the boundaries of the County of Los Angeles, have had the same under consideration, report the same back to the House, and recommend its passage.

SEPULVEDA,
KEWEN,

Los Angeles Delegation.

HILL,

Santa Barbara Delegation.

Mr. Lux made the following report :

MR. SPEAKER :—The Tuolumne delegation, to whom was referred Senate bill No. 257, an Act directing the Board of Trustees of the City of Sonora to levy a special tax for the benefit of the Fire Department, have had the same under consideration, beg leave to report it back, and recommend its passage.

LUX, for Delegation.

The rules were suspended, and the bill above reported was read third time, and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 22d, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 351, an Act to authorize the transfer of certain funds from the Current Expense Fund to the Jail Fund, in the County of Los Angeles ;

Also, Assembly bill No. 106, an Act relative to the roads and Road Masters in Solano County;

Also, Assembly bill No. 216, an Act supplementary to and amendatory of the Act of April sixth, eighteen hundred and sixty-three, entitled an Act to provide for the maintenance and supervision of Common Schools.

FRED'K F. LOW,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 22d, 1864. }

To the Assembly of the State of California:

I herewith return, without my approval. Assembly bill No. 286, an Act to authorize the Guardian of certain minor children to sell and convey real estate.

The only material difference between the general law and the bill under consideration is, that by the provisions of the general law the Probate Courts must decide whether it will be for the interest of the heirs that the estate be sold or not. If it shall appear to the Court that it will be for the interest of the heirs, it can order the estate to be sold either at public or private sale. By the bill under consideration the Legislature, in effect, decides that it is necessary that certain real estate shall be sold, and proceeds to authorize the Guardian to sell it.

Whether the Probate Courts of the several counties or the Legislature are the better judges of the interests of minor heirs in each particular case, is the only question involved. My opinions regarding this question remain the same as they were when I was inaugurated; indeed, I am more strongly convinced than ever that these matters should be left in the hands of the Courts where they have been placed by the Constitution of the State.

FRED'K F. LOW,
Governor.

Assembly bill No. 286, an Act to authorize the Guardian of certain minor children to sell and convey real estate, returned by the Governor, without his approval.

On the question "Shall the bill pass notwithstanding the objections of the Governor?" the roll was called, with the following result:

AYES—Messrs Beaman, Bowman, Brown of Amador, Brown of Tu-
lare, Campbell of El Dorado, Campbell of San Francisco, Dickinson,
Dodson, Dow, Green, Hill, Hoag, Jenison, Johnson, Kendrick, Kewen,
Martin, Owen, Parker, Perrin, Personette, Rhoads, Rule, Scott of Sis-
kiyou, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Van Schaick,
Walker of Alameda, Walker of Fresno, Weston, Wilsey, Winchester,
Wood, and Wright—36.

NOES—Messrs. Boulware, Brooks, Castro, Chappell, Clayton, Fraser,
Hittell, Hunt, Langdon, Littlefield, Ludlow, Lux, Perley, Redfield,
Scott of Alameda, and Wason—16.

The bill was declared passed by a constitutional majority over the Governor's veto.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 22d, 1864. }

Mr. SPEAKER :—The Senate, on the seventeenth instant, passed Senate bill No. 267, an Act providing for the time of holding the County Court and Probate Court in the County of Alameda ;

Also, passed Senate bill No. 319, an Act to appropriate money to pay the claim of J. F. Hall ;

Also, passed Senate bill No. 281, an Act to extend the time for constructing the Grass Valley and Bear River Turnpike Road ;

Also, passed Senate bill No. 289, an Act for the regulation and improvement of the Town of Napa City ;

Also, passed Senate bill No. 301, an Act to amend an Act entitled an Act to make certain offices in the County of Tuolumne salaried offices, approved February twenty-first, eighteen hundred and sixty-one ;

Also, passed Senate bill No. 315, an Act in relation to the Superintendent of Common Schools in San Diego County ;

Also, passed Senate bill No. 316, an Act to provide for the levying, assessing, and collecting of a Cash Contingent Fund for the County of San Diego ;

Also, passed Senate bill No. 324, an Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento ;

Also, on yesterday, passed Senate bill No. 310, an Act to repeal an Act for the protection of fisheries, approved April twenty-eighth, eighteen hundred and sixty ;

Also, passed Assembly bill No. 189, an Act to amend an Act entitled an Act in relation to liens of mechanics and others, and amended title ;

Also, passed Assembly bill No. 304, an Act to amend section nineteen of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, passed Assembly bill No. 240, an Act to amend an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, amended and passed Assembly bill No. 300, an Act to provide for ascertaining the amount of fees paid to certain officers ;

Also, passed Senate bill No. 333, an Act to regulate metallurgic works and manufactories of acids ;

Also, passed Senate bill No. 120, an Act to amend an Act entitled an Act concerning crimes and punishments, passed April sixteenth, eighteen hundred and fifty ;

Also, passed Senate bill No. 248, an Act to amend an Act passed April second, eighteen hundred and fifty-five, entitled an Act to suppress houses of ill fame ;

Also, passed Senate bill No. 169, an Act concerning assessments upon the stock of corporations ;

Also, passed Senate bill No. 368, an Act concerning corporations ;

Also, passed Assembly bill No. 301, an Act to provide for furnishing, in printed form, the poll and tally lists papers for election purposes ;

Also, amended and passed Assembly bill No. 237, an Act to divide the County of Placer into Supervisor and Revenue Districts, and to provide

for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith;

Also, passed Assembly bill No. 329, an Act relating to the establishment of the eastern boundary of the State of California;

Also, on the eighteenth instant, amended and passed Assembly bill No. 249, an Act to provide for funding the indebtedness of Tehama County.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 22d, 1864. }

Mr. SPEAKER:—The Senate, on the eighteenth instant, passed Senate bill No. 273, an Act supplemental to an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, passed Senate bill No. 279, an Act to confer certain powers on the Board of Supervisors of Sonoma County;

Also, passed Senate bill No. 318, an Act providing for a turnpike road from Ione City, in Amador County;

Also, passed Senate bill No. 332, an Act for the relief of the Burning Moscow Gold and Silver Mining Company;

Also, passed Senate bill No. 335, an Act for the prevention of conflagrations, etc., at San Francisco;

Also, passed Senate bill No. 351, an Act granting to certain parties the right to construct a wagon road in the County of Tulare;

Also, passed Senate bill No. 342, an Act to authorize Andrew B. Forbes, his associates and assigns, to construct a wharf at Green Point, in the County of Alameda;

Also, passed Senate bill No. 352, an Act to amend an Act concerning roads and highways in the Counties of Siskiyou, Klamath, and Del Norte, approved March twenty-first, eighteen hundred and sixty-two;

Also, passed Senate bill No. 381, an Act to change the name of Andrew Smith to Andrew Hallidie;

Also, passed Senate bill No. 364, an Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 120, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 169, above reported, read first and second times, and referred to the Committee on Corporations.

Senate bill No. 248, above reported, read first and second times, and referred to the Committee on Public Morals.

Senate bill No. 267, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 281, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 289, before reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 293, above reported, read first and second times, and placed on file.

Senate bill No. 315, above reported, read first and second times, and placed on file.

Senate bill No. 324, above reported, read first and second times, and placed on file.

Senate bill No. 333, above reported, read first and second times, and placed on file.

Senate bill No. 335, above reported, read first and second times, and placed on file.

Senate bill No. 351, above reported, read first and second times, and placed on file.

Senate bill No. 364, above reported, read first and second times, and placed on file.

Senate bill No. 381, above reported, read first and second times, and placed on file.

Senate bill No. 299, above reported, read first and second times, and referred to the Sonoma delegation.

Senate bill No. 301, above reported, read first and second times, and referred to the Tuolumne delegation.

Senate bill No. 310, above reported, read first and second times, and referred to the Committee on Commerce and Navigation.

Senate bill No. 316, above reported, read first and second times, and referred to the San Diego delegation.

Senate bill No. 318, above reported, read first and second times, and referred to the Amador and El Dorado delegations.

Senate bill No. 319, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 332, above reported, read first and second times, and referred to the Committee on Corporations.

Senate bill No. 368, above reported, read first and second times, and referred to the Committee on Corporations.

Senate bill No. 342, above reported, read first and second times, and referred to the Alameda delegation.

Senate bill No. 352, above reported, read first and second times, and referred to the delegations from Del Norte and Siskiyou.

The House concurred in amendments to Assembly bill No. 189, above reported.

The House concurred in amendments to Assembly bill No. 300, above reported.

Assembly bill No. 237, above reported, with amendments, recommitted to the Placer delegation.

The House concurred in Senate amendments to Assembly bill No. 249, above reported.

The House refused to concur in Senate amendments to Assembly bill No. 329, above reported.

The rules were suspended, and Assembly bill No. 277, an Act to amend the revenue law, taken from the file, amended, rules suspended, considered engrossed, read third time, and passed.

Mr. Campbell of San Francisco, by permission, presented the following report from the Judiciary Committee:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 415, an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen

hundred and sixty-three, have had the same under consideration, and report it back, with recommendation of its passage.

CAMPBELL of San Francisco, Chairman.

The rules were suspended, and the bill above reported considered. On its passage, the roll was called, with the following result :

AYES—Messrs. Beaman, Boulware, Brooks, Brown of Amador, Campbell of San Francisco, Castro, Chappell, Clayton, Devoe, Dickinson, Dow, Fraser, Gray, Green, Hill, Hittell, Hoag, Hubbard, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Martin, McColliam, Owen, Perley, Perrin, Personette, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Sonoma, Snyder, Sumner, Teare, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, and Weston—46.
NOES—None.

The votes in the affirmative being less than the number required by the Constitution for the passage of the bill, on motion of Mr. Hittell, the bill was ordered to top of file for Wednesday, March twenty-third.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Hill, for an Act relating to the First Judicial District, and to fix the Courts in said district.

Read first and second times, amended, rules suspended, considered engrossed, read third time, and passed.

By Mr. Rule, for an Act fixing the salaries of the county officers of Nevada County.

Read first and second times, and placed on file.

By Mr. Chappell, for an Act concerning the office of Public Administrator in the Counties of Shasta and Trinity.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Langdon, for an Act to amend an Act entitled an Act concerning lawful fences, approved April twenty-seventh, eighteen hundred and fifty-five.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Wood, for an Act to repeal sections twenty-six to thirty-nine, inclusive, of an Act entitled an Act to provide revenue for the support of the government of this State, passed May fifteenth, eighteen hundred and fifty-four.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Wood, for an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved May eighteenth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Walker of Alameda, for an Act to provide for the collection of moneys due the State for taxes on consigned goods.

Read first and second times, and referred to the Committee on Ways and Means.

By Mr. Scott of Alameda, for an Act to amend an Act entitled an Act to authorize the formation of companies for the construction of plank and turnpike roads, approved May twelfth, eighteen hundred and sixty-three.

Read first and second times, and referred to the Committee on Corporations.

By Mr. Jenison, for an Act to repeal a certain Act.

Read first and second times, rules suspended, considered engrossed, read third time, passed, and title amended.

On motion of Mr. Kewen, at three o'clock P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Wednesday, March 23d, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 419, an Act fixing the time of holding the County Court and Probate Court in the County of Calaveras;

Also, Assembly bill No. 359, an Act concerning partnerships for mining purposes;

Also, Assembly bill No. 402, an Act to grant to the San Francisco Cordage Company the right to construct a wharf in the Bay of San Francisco;

Also, Assembly bill No. 401, an Act to prevent the trespassing of hogs, sheep, and goats upon private property in the County of Calaveras;

Also, Assembly bill No. 400, an Act to grant the right to construct a turnpike road from the Town of Searsville, in the County of San Mateo, to the Town of Pescadero, in the County of Santa Cruz;

Also, Assembly bill No. 411, an Act supplemental to an Act entitled an Act to amend an Act relating to corporations, passed May eighteenth, eighteen hundred and fifty-three;

Also, Assembly bill No. 384, an Act to amend an Act providing for the government of the County of Sacramento, passed April twenty-fifth, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

Mr. SPEAKER :—The Committee on Military Affairs, to whom was referred Assembly bill No 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three, with instructions, have made the amendments as instructed, and report the same back, as amended.

WOOD, Chairman.

Mr. Boulware made the following report :

Mr. SPEAKER :—The Butte and Sutter delegations, to whom was referred the petition of certain tax payors of Butte and Sutter Counties, praying for relief, beg leave to report by bill.

BOULWARE, for Delegations.

The bill above reported, an Act for the relief of Mathew Mullen and others, read first and second times, and placed on file.

Mr. Snyder made the following report :

Mr. SPEAKER :—The Placer delegation, to whom was referred Assembly bill No. 237, an Act to divide the County of Placer into Supervisor and Revenue Districts, and provide for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith, have had the same under consideration, and recommend that the Senate amendments be concurred in.

SNYDER, for Delegation.

Mr. Perrin made the following report :

Mr. SPEAKER :—The Tuolumne delegation, to whom was referred Senate bill No. 172, an Act to authorize Thomas Cutler, D. M. Kenfield, John Sedgwick, and their associates and assigns, to construct and maintain a toll road in the County of Tuolumne, report the same back, and recommend its passage.

PERRIN, for Delegation.

Mr. Scott of Siskiyou made the following report :

Mr. SPEAKER :—The Siskiyou, Klamath, and Del Norte delegations, to whom was referred Senate bill No 352, an Act to amend an Act concerning roads and highways in the Counties of Siskiyou, Klamath, and Del Norte, approved March twenty-first, eighteen hundred and sixty-two, report the same back without amendment, and recommend its passage.

HIRST,
SCOTT of Siskiyou,
LITTLEFIELD.

The rules were suspended, the bill above reported taken up, read third time, and passed

Mr Ludlow made the following report :

Mr. SPEAKER :—The Amador delegation, to whom was referred Senate

bill No. 318, an Act to grant the right to construct a turnpike road between the Town of Ione City, in Amador County, and Miller's Corners in El Dorado County, have had the same under consideration, and report it back, with the recommendation that it pass.

LUDLOW, for Delegation.

The bill above reported was taken up under suspension of the rules, read third time, and passed.

Mr. Personette made the following report :

MR. SPEAKER :—The Trinity delegation, to whom was referred Assembly bill No. 424, an Act relating to fees of officers in Trinity County, report the same back, and recommend its passage

PERSONETTE, for Delegation.

The bill above reported was taken up, and under suspension of the rules, read third time, and passed.

Mr. Cherry made the following report :

MR. SPEAKER :—The San Francisco delegation, to whom was referred Assembly bill No. 393, an Act to amend an Act to provide for a street railroad within the City and County of San Francisco, and other matters relating thereto, approved April twenty-first, eighteen hundred and sixty-three, having had the same under consideration, report it back, with a recommendation that it be indefinitely postponed ;

Also, Assembly bill No. 399, an Act to provide for a street railroad in the Western Addition of the City and County of San Francisco, have had the same under consideration, report it back, with a recommendation that it be indefinitely postponed ;

Also, Assembly bill No. 418, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three, have had the same under consideration, report it back, with a recommendation that it be indefinitely postponed.

CHERRY, for Delegation.

RESOLUTIONS.

Mr. Van Leuven offered the following resolution :

WHEREAS, Dr. O. M. Wozencraft has solicited the use of the Assembly Hall, on the evening of March twenty-sixth, eighteen hundred and sixty-four, for the purpose of delivering an address on subjects of National importance ; on the past, present, and the cause of the troubles of our country ; therefore, be it

Resolved, That O. M. Wozencraft be permitted the use of the Assembly Hall on Saturday night, March twenty-sixth, for said purpose.

Mr. Owen moved to lay the resolution on the table.

On which, the ayes and noes were demanded, by Messrs. Sepulveda, Kewen, and Hoag, and the motion prevailed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro,

Chappell, Cherry, Clayton, Devoe, Dodson, Dow, Dutton, Erksen, Gray, Hartsough, Hittell, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Perloy, Perrin, Personette, Redfield, Rhoads, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, Van Schaick, Wason, Watson, Weston, Wiley, Wilsey, Wood, Wright, and Mr. Speaker—53.

NOES—Messrs. Brown of Tulare, Dickinson, Dyer, Fraser, Green, Hill, Hoag, Kendrick, Kewen, Parker, Rule, Sepulveda, Smith of Sonoma, Van Leuven, Walker of Alameda, Walker of Fresno, Wilcox, and Winchester—19.

Mr. Cherry moved that Senate bill No. 333, an Act to regulate metallurgic works and manufactories of acids, be taken from the file and referred to the San Francisco delegation.

Mr. Dyer moved to refer the bill to the Committee on Mines and Mining Interests.

The House so ordered.

Mr. Badlam offered the following resolution :

Resolved, That L. S. Taylor, Journal Clerk, be and he is hereby employed to finish copying the Appendix of the Assembly and such other copying as may not be completed upon the adjournment of the Legislature, at fifteen cents per folio, to be audited by the Secretary of State; and the Controller is hereby authorized to draw his warrant for the same, payable out of the Contingent Fund of the Assembly, upon the production of the certificate of the Secretary of State auditing the amount, and that a committee of three be appointed by the Speaker to ascertain the amount of copying to be done.

Adopted.

Mr. Martin afterwards gave notice of a motion to reconsider the vote by which the resolution was passed.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Langdon, for an Act to amend an Act entitled an Act to fund the indebtedness of Calaveras County, approved April twenty-first, eighteen hundred and sixty-three ;

Read first and second times, and placed on file.

Also, for an Act supplementary to an Act entitled an Act to amend an Act entitled an Act abolishing the office of County Assessor, and establishing the office of Township Assessors in the County of Calaveras, approved April twenty-eighth, eighteen hundred and sixty, and to define their duties and the duties of the other officers connected with the collection and disbursement of the revenue of said county more clearly, approved April twenty-fourth, eighteen hundred and sixty-two.

Read first and second times, and placed on file.

GENERAL FILE.

Assembly bill No. 61, an Act to amend the election law, and to establish a uniform system of registry throughout the State.

Mr. Martin moved the indefinite postponement of the bill.

On which, the ayes and noes were demanded, by Messrs. Redfield, Wason, and Beaman, and the vote was taken, with the following result:

AYES—Messrs. Allen, Alley, Bowman, Boulware, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Dickinson, Dodson, Dow, Hill, Hoag, Hubbard, Hunt, Jenison, Johnson, Kendrick, Kewen, Littlefield, Lux, Martin, McColliam, Mebius, Perley, Personette, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wiley, Wilsey, and Wright—44.

NOES—Messrs. Beaman, Brooks, Brown of Amador, Clayton, Devoe, Dutton, Dyer, Erkson, Fraser, Hartsough, Hittell, Langdon, Ludlow, Owen, Parker, Perrin, Redfield, Snyder, Van Leuven, Van Schaick, Wason, Watson, Winchester, and Wood—24.

Assembly bill No. 115, an Act to provide for the collating, compiling, and digesting the laws of the State of California—*indefinitely postponed*.

Assembly bill No. 333, an Act to provide a Commission to codify the laws of this State—*indefinitely postponed*.

Assembly bill No. 406, an Act to provide for a digest of the general laws of California—*indefinitely postponed*.

Assembly bill No. 396, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fifth, eighteen hundred and sixty-three—ordered to top of file for Friday next.

Assembly bill No. 415, an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three—ordered second on file for Friday next.

Assembly bill No. 103, an Act to prohibit gaming.

The question being on the passage of the bill, the ayes and noes were demanded, by Messrs. Wilcox, Teare, and Parker, and taken, with the following result:

AYES—Messrs. Bowman, Boulware, Brooks, Cherry, Clark, Clayton, Dutton, Erkson, Hartsough, Hittell, Hubbard, Littlefield, Ludlow, McColliam, Owen, Perley, Perrin, Redfield, Rhoads, Scott of Alameda, Smith of Nevada, Sumner, Van Leuven, Walker of Alameda, Wason, Wood, and Wright—27.

NOES—Messrs. Alley, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Chappell, Dickinson, Dodson, Dow, Dyer, Fraser, Hill, Hunt, Hirst, Kewen, Langdon, Lux, Parker, Personette, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Fresno, Wilcox, Wiley, and Wilsey—30.

Mr. Rule gave notice of a motion to reconsider the vote by which the House refused to pass the bill.

Assembly bill No. 195, an Act to amend an Act entitled an Act supplemental to an Act entitled an Act providing a Fund for the use of the State Library, passed May first, eighteen hundred and fifty-two, approved May eleventh, eighteen hundred and fifty-three—read third time, and passed.

Assembly bill No. 394, an Act to amend an Act entitled an Act to pro-

vide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved May twentieth, eighteen hundred and sixty-one.

Mr. Teare moved to recommit the bill to the Committee on Corporations, with special instructions to insert an additional section, as follows:

“The provisions of this Act shall not apply to any existing incorporated railroad company, or to any company which may be hereafter organized to connect with any road which has a gauge of another and different size from that mentioned in this Act.”

The motion to recommit was adopted.

Senate bill No 170, an Act to suspend the laws allowing the sale of unsurveyed lands, and relating to the issuance of patents—amended by unanimous consent, read third time, and passed.

Senate bill No. 242, an Act for the relief of J. A. Moultrie.

The question being on the passage of the bill, Messrs. Redfield, Smith of Nevada, and Walker of Alameda, demanded the ayes and noes, which were taken, with the following result:

AYES—Messrs. Boulware, Campbell of San Francisco, Chappell, Clayton, Dickinson, Dodson, Dyer, Hill, Hunt, Kewen, Lux, Owen, Perley, Perrin, Sepulveda, Teare, Tukey, Van Schaick, Walker of Fresno, Wason, and Wilsey—21.

NOES—Messrs. Beaman, Bowman, Brown of Amador, Clark, Devoe, Dow, Dutton, Fraser, Gray, Hartsough, Hittell, Hubbard, Hirst, Langdon, Littlefield, Ludlow, Martin, McColliam, Parker, Redfield, Rule, Smith of Nevada, Sumner, Van Leuven, Walker of Alameda, Weston, Wilcox, Wood, and Wright—29.

Mr. Wilcox desired to give notice of intention to move a reconsideration of the vote by which the House refused to pass the bill.

The Speaker declared the motion out of order, the bill having been once reconsidered.

Mr. Wilcox appealed from the decision of the Chair.

On the question, “Shall the decision of the Chair stand as the judgment of the House?” the ayes and noes were demanded, by Messrs. Wilcox, Lux, and Hirst, and the Chair was sustained, by the following vote:

AYES—Messrs. Badlam, Beaman, Bowman, Brown of Amador, Clark, Devoe, Dodson, Dow, Dutton, Fraser, Hittell, Hubbard, Jenison, Johnson, Langdon, Littlefield, Ludlow, McColliam, Owen, Parker, Redfield, Rule, Smith of Nevada, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Weston, Wood, and Wright—31.

NOES—Messrs. Alley, Boulware, Campbell of San Francisco, Chappell, Clayton, Dickinson, Hill, Hirst, Lux, Martin, Perley, Perrin, Sepulveda, Smith of Sonoma, Teare, Walker of Fresno, Wason, Wilcox, and Wilsey—19.

INTRODUCTION OF BILLS.

The rules were suspended, and bills were introduced as follows:

By Mr. Cherry, for an Act concerning the Central Railroad of San Francisco.

Read first and second times, and placed on file.

Also, for an Act granting to certain parties the right to construct a macadamized road within the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Clayton, for an Act supplemental to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one.

Read first and second times, and referred to the San Francisco delegation.

GENERAL FILE RESUMED.

Assembly bill No. 361, an Act amendatory of and supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two.

Mr. Weston, from the Committee on Hospitals, by leave, made the following report:

MR. SPEAKER:—Your Committee on Hospitals, to whom was referred Assembly bill No. 361, an Act amendatory of and supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two, have considered the same, report it back with an amendment, and recommend its passage as amended.

WESTON, for Committee.

The amendment above reported was considered.

Mr. Martin moved to amend the amendment by striking out section four

On which, the ayes and noes were demanded, by Messrs. Martin, Devoe, and Buffum, and the roll being called, the House refused, by the following vote:

AYES—Messrs. Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Devoe, Dickinson, Dow, Dutton, Hart-sough, Kendrick, Langdon, Littlefield, Ludlow, Martin, McColliam, Mebius, Pratt, Scott of Siskiyou, Van Leuven, and Wright—23.

NOES—Messrs. Allen, Alley, Badlam, Campbell of San Francisco, Chappell, Dodson, Hill, Hoag, Hubbard, Kewen, Lux, Parker, Perley, Perrin, Scott of Alameda, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, and Wood—27.

The amendment was then adopted.

On the engrossment of the bill, the ayes and noes were demanded, by Messrs. Martin, Weston, and Littlefield, and the bill ordered engrossed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Bowman, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Dodson, Erksen, Fraser, Hill, Hoag, Hubbard, Jenison, Johnson, Kewen, Langdon, Lux, Parker, Perley, Perrin, Scott of Alameda, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, and Wood—35.

NOES—Messrs. Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Devoe, Dickinson, Dow, Dutton, Kendrick, Littlefield, Ludlow, Martin, McColliam, Mebius, Scott of Siskiyou, Snyder, Van Leuven, and Wright—19.

The rules were suspended to allow Mr. Wiley to offer the following resolution :

Resolved, That when this House adjourn for to-day, it adjourn to meet on Friday, the twenty-fifth instant.

Mr. Owen moved the previous question.

Sustained.

On the passage of the resolution, the ayes and noes were demanded, by Messrs. Scott of Alameda, Martin, and Wood, and the resolution was adopted, by the following vote :

AYES—Messrs. Alley, Bowman, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Clayton, Devoe, Dickinson, Dodson, Dyer, Hartsough, Hill, Hunt, Jenison, Johnson, Kendrick, Kewen, Langdon, Lux, Mebius, Parker, Perley, Personette, Rule, Sepulveda, Smith of Sonoma, Sumner, Teare, Van Leuven, Watson, Wilcox, Wiley, and Wilsey—36.

NOES—Messrs. Badlam, Beaman, Boulware, Brooks, Brown of Tulare, Dow, Dutton, Erksen, Fraser, Hittell, Hubbard, Littlefield, Ludlow, Martin, McColliam, Perrin, Redfield, Scott of Alameda, Smith of Nevada, Snyder, Van Schaick, Walker of Alameda, Wason, Wood, and Wright—25.

The rules were suspended to allow Mr. Kewen to introduce a bill for an Act to authorize Phineas Banning, his associates and assigns, to construct a watercourse from San Gabriel River to Camp Drum and the Town of Wilmington, in Los Angeles County.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

Mr. Kendrick, by leave, made the following report :

Mr. SPEAKER :—The San Diego delegation, to whom was referred Senate bill No. 316, an Act to provide for the levying, assessing, and collecting of a Cash Contingent Fund for the County of San Diego, beg leave to report the same back, and recommend its passage.

KENDRICK, for Delegation.

Mr. Hoag, by leave, made the following report :

Mr. SPEAKER :—The Sonoma delegation, to whom was referred Senate bill No. 287, an Act to fix the salary of the Clerk of the Board of Supervisors of Sonoma County, have had the same under consideration, report it back, and recommend its passage ;

Also, Senate bill No. 290, an Act to fix the compensation of the Board of Supervisors of Sonoma County, have had the same under consideration, report it back, and recommend its passage.

HOAG,
SMITH of Sonoma.

Mr. Hoag, by leave, made the following report :

Mr. SPEAKER :—The Sonoma delegation, to whom was referred Senate bill No. 299, an Act to confer certain powers on the Board of Supervisors of Sonoma County, have had the same under consideration, report it back, and recommend its passage.

HOAG,
SMITH of Sonoma.

Mr. Scott, by leave, offered the following resolution :

Resolved, That in making up the General File for Friday, the Clerk be instructed to place at the head of the file the bills ordered to the top of the file for Thursday, and that those ordered to the top of the file for Friday be placed immediately following.

Adopted.

GENERAL FILE RESUMED.

Assembly bill No. 428, an Act fixing the salaries of the county officers of Nevada County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 358, an Act to provide for the settlement of certain land claims within the City and County of San Francisco—ordered to top of file for Friday, March twenty-fifth.

Senate bill No. 315, an Act in relation to the office of Superintendent of Common Schools in San Diego County—rules suspended, read third time, and passed.

Senate bill No. 324, an Act supplementary to the Act of April twenty-fifth, eighteen hundred and sixty-three, entitled an Act to incorporate the City of Sacramento—read third time, and passed.

Senate bill No. 335, an Act to provide for the prevention of conflagrations, and for the protection of property saved from fire in the City and County of San Francisco—read third time, and passed.

Senate bill No. 351, an Act granting to certain parties the right to construct a wagon road in the County of Tulare—read third time, and passed.

Senate bill No. 381, an Act to change the name of Andrew Smith to Andrew Hallidie—read third time, and passed.

Assembly bill No. 425, an Act more particularly to define the boundaries of the County of Los Angeles—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 185, an Act to amend an Act entitled an Act to provide for the appointment and prescribe the duties of Guardians, passed April nineteenth, eighteen hundred and fifty—indefinitely postponed.

Senate bill No. 229, an Act to provide for a survey of the boundary line between Calaveras and San Joaquin Counties—rules suspended, read third time, and passed.

MESSAGE FROM THE SENATE.

The rules were suspended, and a message from the Senate was read as follows :

SENATE CHAMBER,
March 23d, 1864. }

Mr. SPEAKER:—I am directed to inform the Assembly that the Senate, this day, passed Senate bill No. 387, an Act to change the name of Amasa Maurice Craig and Laura Craig;

Also, same day, passed Senate bill No. 388, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State;

Also, same day, passed Senate bill No. 249, an Act concerning crimes and punishments;

Also, same day, passed Senate bill No. 328, an Act concerning Common Schools in the City of Placerville;

Also, same day, passed Senate bill No. 393, an Act for the relief of the State Agricultural Society;

Also, on the twenty-first instant, passed Senate bill No. 180, an Act to regulate proceedings on motion for new trial, or in arrest of judgment, and on appeal, in criminal cases in Justices', Records', Mayors', and Police Courts;

Also, same day, passed Senate bill No. 179, an Act to amend an Act entitled an Act concerning officers, approved April twenty-second, eighteen hundred and sixty-three;

Also, on the eighteenth instant, passed Senate bill No. 341, an Act to provide for the election of a Police Judge for Sacramento;

Also, this day, passed Senate bill No. 348, an Act to create the County of Coso, to define its boundaries, and to provide for its organization.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 179, above reported, read first and second times, and referred to the Committee on Ways and Means.

Senate bill No. 180, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 249, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 328, above reported, read first and second times, and referred to the El Dorado delegation;

Senate bill No. 341, above reported, read first and second times, and referred to the Sacramento delegation.

Senate bill No. 348, above reported, read first and second times, and referred to the Committee on Counties and County Boundaries.

Senate bill No. 388, above reported, read first and second times, and referred to the Committee on Military Affairs.

Senate bill No. 393, above reported, read first and second times, and placed on file.

Senate bill No. 387, above reported, considered, rules suspended; read third time, and passed.

Mr. Kewen moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Owen, Rule, and Wood, and the motion was lost, by the following vote:

AYES—Messrs. Bowman, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Clark, Dickinson, Dyer, Hartsough, Hill, Hoag, Kendrick, Kewen, Langdon, Parker, Personette, Redfield, Sepulveda, Smith of Sonoma, Snyder,

Teare, Van Leuven, Walker of Alameda, Walker of Fresno, Wilcox, and Wilsey—30.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Chappell, Clayton, Dodson, Dow, Dutton, Erkson, Fraser, Gray, Green, Hittell, Hubbard, Johnson, Ludlow, McColliam, Mebius, Owen, Perley, Perrin, Pratt, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Schaick, Wason, Weston, Wood, and Wright—32.

UNFINISHED BUSINESS.

The House took up Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence.

On motion of Mr. Kewen, the bill was ordered to top of the file for Saturday, March twenty-sixth.

Mr. McColliam moved that Assembly bill No. 439, an Act concerning the Central Railroad of San Francisco, be taken from the file and referred to the San Francisco delegation.

Pending which, Mr. Wright moved to adjourn.

And at three o'clock and twenty minutes P. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Friday, March 25th, 1864. }

House met pursuant to adjournment.

Speaker pro tem in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Mr. Wilcox moved to adjourn.

Lost.

The reading of the Journal of the preceding day was dispensed with.

Mr. Rule moved to reconsider the vote whereby the House refused to pass Assembly bill No. 103, an Act to prohibit gaming.

Mr. Wilcox moved to indefinitely postpone the motion to reconsider.

On which, Messrs. Rule, Boulware, and Kewen, demanded the ayes and noes, which were taken, with the following result:

AYES—Messrs. Alley, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Devoe, Dickinson, Dow, Dyer, Fraser, Hunt, Kewen, Lux, Mebius, Scott of Siskiyou, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Watson, Wilcox, Wiley, and Wilsey—23.

NOES—Messrs. Badlam, Boulware, Brooks, Buffum, Cherry, Clayton, Erkson, Gray, Green, Hartsough, Hittell, Hubbard, Kendrick, Littlefield, Ludlow, Owen, Perley, Perrin, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Wason, Winchester, Wood, and Wright—32.

Mr. Wilcox moved to postpone the consideration of the motion to reconsider until to-morrow at twelve o'clock M.

Mr. Wright moved the previous question.
Sustained.

The ayes and noes were demanded, by Messrs. Dyer, Ludlow, and Perley, and the motion prevailed, by the following vote :

AYES—Messrs. Alley, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Castro, Devoe, Dickinson, Dow, Dyer, Fraser, Hittell, Hoag, Hunt, Kendrick, Kewen, Langdon, Littlefield, Lux, Mebius, Parker, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Watson, Wilcox, Wilsey, and Whallon—31.

NOES—Messrs. Bowman, Boulware, Brooks, Buffum, Cherry, Clark, Clayton, Erkson, Gray, Green, Hartsough, Hubbard, Ludlow, Owen, Perley, Perrin, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Wason, Winchester, and Wood—27.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report :

MR. SPEAKER.—Your Committee on Hospitals, to whom was referred Assembly bill No. 421, concerning the care of the insane of California, have had the same under consideration, and report the same back with an amendment, and recommend its passage as amended.

BUFFUM, Chairman.

The bill above reported was ordered to top of file for Tuesday, March twenty-ninth, and ordered printed.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 23d, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 226, an Act for the relief of Miss M. H. Bowne ;

Also, Assembly bill No. 282, an Act to provide for the construction of a wagon and turnpike road in the Counties of Fresno and Mono ;

Also, Assembly bill No. 299, an Act to amend an Act approved May second, eighteen hundred and sixty-two, entitled an Act to grant the right to construct a turnpike road from the Town of La Porte, County of Sierra, through or near the Beckwith Pass, to the eastern boundary line of this State ;

Also, Assembly bill No. 312, an Act granting to James L. Hall and his associates the right to lay down and maintain gas pipes in the Town of Brown's Valley, in Yuba County ;

Also, Assembly bill No. 371, an Act supplementary to and amendatory of an Act entitled an Act to amend an Act entitled an Act to authorize the construction of a wagon road from the City of San Bernardino, through Devil's Cañon, to the Mojave River, in San Bernardino County, approved April thirteenth, A. D. one thousand eight hundred and sixty-three ;

Also, Assembly bill No. 339, an Act granting further powers to the Board of Supervisors of the County of Sacramento ;

Also, Assembly bill No. 274, an Act to regulate the fees and fix the salaries of certain officers in the County of Santa Clara

FRED'K F. LOW,
Governor.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Whallon, for an Act to amend an Act entitled an Act for the protection of game, passed May thirteenth, eighteen hundred and fifty-four, as amended by an Act approved April seventeenth, eighteen hundred and sixty-one.

Read first and second times, and ordered to General File.

By Mr. Wright, for an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers.

Read first and second times, and referred to the Judiciary Committee.

Also, for an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Hartsough, for an Act to authorize certain parties to construct a lock at the outlet of Clear Lake.

Read first and second times, and referred to the Lake, Napa, and Yolo delegations.

On motion of Mr. Wright, at ten o'clock and thirty minutes A. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, March 26th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present

Prayer by the Chaplain.

Journal of preceding two days read and approved.

Mr. Brown of Amador presented a petition of citizens of the Town of Markleeville, in favor of the incorporation of that town.

The rules were suspended, and a bill for an Act to incorporate the Town of Markleeville was introduced.

Read first and second times, and referred to the Amador delegation.

On motion of Mr. Dow, the rules were suspended, and the following message taken up :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 26th, 1864. }

MR. SPEAKER :—The Senate, on the twenty-third instant, adopted Senate concurrent resolution No. 30, requesting the Controller of State to draw warrants, and ask the concurrence of the Assembly.

A. W. BISHOP,
Assistant Secretary.

The House concurred in Senate concurrent resolution No. 30, above reported.

Mr. Brown of Amador introduced a petition from the men of the First Regiment of California Volunteers, relative to their place of discharge.

Referred to the Committee on Military Affairs.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 277, an Act to amend the revenue law ;

Also, Assembly bill No. 395, an Act to settle the title to lands in the Village and Town of Branciforte, in the County of Santa Cruz ;

Also, Assembly bill No. 429, an Act concerning the office of Public Administrator in the Counties of Shasta and Trinity ;

Also, Assembly bill No. 430, an Act to amend an Act entitled an Act concerning lawful fences, approved April twenty-seventh, eighteen hundred and fifty-five ;

Also, Assembly bill No. 435, an Act to repeal a certain Act ;

Also, Assembly bill No. 356, an Act to authorize Guadalupe Adelaida Limas to sell certain property of her minor children, Francis J. Limas and Ana A. Limas ;

Also, Assembly bill No. 416, an Act to provide for funding the indebtedness of the County of Colusa ;

Also, Assembly No. 425, an Act more particularly to define the boundaries of the County of Los Angeles.

DYER, Chairman.

Mr. Chappell, Chairman of the Committee on Public Expenditures and Accounts, made the following report :

MR. SPEAKER :—Your Committee on Public Expenditures and Accounts having examined and found correct the following bills, beg leave to report the same, and recommend the adoption of the accompanying resolution :

| To whom Due. | Amount. |
|---|----------|
| George I. Lytle, for Stockton Independent..... | \$41 50 |
| Dewey & Company, for Mining and Scientific Press..... | 9 00 |
| San Andreas Register..... | 9 00 |
| Horsetown Argus..... | 3 00 |
| Pajaro Times..... | 18 00 |
| Christian Advocate..... | 9 00 |
| Alameda County Gazette..... | 6 00 |
| Pacific Monthly..... | 3 00 |
| Los Angeles Star..... | 6 00 |
| Napa Valley Register..... | 12 00 |
| Constitutional Democrat..... | 6 00 |
| Solano Herald..... | 9 00 |
| California Farmer..... | 12 00 |
| Tuolumne Courier..... | 3 00 |
| Mariposa Press..... | 15 00 |
| Police Gazette..... | 6 00 |
| Mendocino Herald..... | 6 00 |
| California Demokrat..... | 6 00 |
| Oakland News..... | 6 00 |
| E. A. Rockwell, for Daily Call..... | 42 00 |
| California Evangel..... | 6 00 |
| San José Patriot..... | 9 00 |
| A. Boujon, for Echo Del Pacifico..... | 12 00 |
| Abend Post..... | 3 00 |
| Total..... | \$257 50 |

Resolved, That the Controller of State be and is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Assembly, as follows :

- In favor of George I. Lytle for forty-one dollars and fifty cents ;
- In favor of Dewey & Co. for nine dollars ;
- In favor of San Andras Register for nine dollars ;
- In favor of Pajaro Times for eighteen dollars ;
- In favor of Horsetown Argus for three dollars ;
- In favor of Christian Advocate for nine dollars ;
- In favor of Alameda County Gazette for six dollars ;
- In favor of Pacific Monthly for three dollars ;
- In favor of Los Angeles Star for six dollars ;
- In favor of Napa Valley Register for twelve dollars ;
- In favor of Constitutional Democrat for six dollars ;
- In favor of Solano Herald for nine dollars ;
- In favor of California Farmer for twelve dollars ;
- In favor of Tuolumne Courier for three dollars ;
- In favor of Mariposa Press for fifteen dollars ;
- In favor of Police Gazette for six dollars ;
- In favor of Mendocino Herald for six dollars ;
- In favor of California Demokrat for six dollars ;
- In favor of Oakland News for six dollars ;
- In favor of E. A. Rockwell for forty-two dollars ;

In favor of California Evangel for six dollars;
 In favor of San José Patriot for nine dollars;
 In favor of A. Boujon for twelve dollars;
 In favor of Abend Post for three dollars.

LITTLEFIELD, for Committee]

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 447, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers, have had the same under consideration, and report the bill back, with recommendation of its passage;

Also, Assembly bill No. 445, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one, and recommend the passage of the same;

Also, Assembly bill No. 426, an Act to amend an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, approved May seventeenth, eighteen hundred and sixty-one, report the same with an amendment, and recommend the passage of the same as amended;

Also, Assembly bill No. 258, an Act to amend an Act entitled an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, passed May seventeenth, eighteen hundred and sixty-one, and recommend the indefinite postponement thereof;

Also, Assembly bill No. 59, an Act to divide the State into Congressional Districts and fix the time to elect Representatives to Congress, with recommendation that the Assembly concur in the Senate amendments;

Also, Assembly bill No. 223, an Act to provide for the collection of statistics, and report the same back with a substitute, and recommend the passage of the substitute;

Also, Senate bill No. 230, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, and report the same back with an amendment, (striking out all after section fifteen of the bill,) and recommend its passage as amended;

Also, Assembly bill No. 256, an Act supplementary to and to amend an Act entitled an Act to provide for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three, report the same with an amendment, and recommend its passage as amended;

Also, Assembly bill No. 254, an Act to amend an Act entitled an Act concerning the Courts of justice and judicial officers, approved April twentieth, eighteen hundred and sixty-three, and recommend its passage;

Also, Assembly bill No. 255, an Act supplementary to and amendatory of an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three, with a recommendation of its passage.

CAMPBELL of San Francisco, Chairman.

Assembly bill No. 447, above reported, the rules being suspended, was taken up, considered engrossed, read third time, and passed.

Mr. Dow made the following report :

Mr. SPEAKER :—The El Dorado delegation, to whom was referred Senate bill No. 328, an Act concerning Common Schools in the City of Placerville, report the same back without amendment, and recommend the passage of the same.

DOW, for Delegation.

The bill above reported was taken up, the rules suspended, read third time, and passed.

Mr. Sumner made the following report :

Mr. SPEAKER :—The Butte and Sutter delegations, to whom was referred Senate bill No. 213, an Act to define the boundary lines of the County of Sutter, have considered the same, report it back, and recommend its passage.

SUMNER, for Delegations.

Senate bill No. 213, above reported, was taken up, rules suspended, read third time, and passed.

Mr. Lux made the following report :

Mr. SPEAKER :—The Tuolumne delegation, to whom was referred Senate bill No. 301, an Act to amend an Act entitled an Act to make certain offices in the County of Tuolumne salaried offices, approved February twenty-first, eighteen hundred and sixty-one, have had the same under consideration, beg leave to report it back, and recommend its passage.

LUX, for Delegation.

Mr. Hill offered a concurrent resolution, relative to the official map of the State of California.

Referred to the Committee on Counties and County Boundaries.

On motion of Mr. Cherry, Assembly bill No. 439 was taken from the file, and referred to the San Francisco delegation.

INTRODUCTION OF BILLS.

The rules were suspended, and bills were introduced as follows :

By Mr. Wright, for an Act to regulate proceedings in the Courts of justice of this State in certain cases.

Read first and second times, and referred to the Judiciary Committee.

By Mr. Jenison, for an Act to provide for the disposal of lots in the Town of Red Bluff.

Read first and second times, and ordered to General File.

By Mr. Snyder, for an Act to legalize the official bond of J. W. Dickinson, Treasurer of Placer County.

Read first and second times, and ordered to General File.

By Mr. Bowman, for an Act to fix and regulate the salaries of the Assistant Engineers of the Fire Department of the City and County of San Francisco.

Read first and second times, and referred to the San Francisco delegation.

Also, for an Act amendatory of an Act to authorize D. B. Northrup, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved April twenty-fourth, eighteen hundred and sixty-three.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Gray, for an Act to authorize the Sheriff of San Francisco County to appoint a Matron for the County Jail, and other matters relating thereto.

Read first and second times, and referred to the San Francisco delegation.

By Mr. Badlam, for an Act to provide for prosecution against the late Treasurer of Sacramento County and his bondsmen.

Read first and second times, and referred to the Sacramento delegation.

GENERAL FILE.

Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence—ordered to top of file for March twenty-ninth.

The House refused to order engrossed Assembly bill No. 204, an Act to authorize the sale and conveyance to the Pacific Glass Works of certain Overflowed Lands in the City and County of San Francisco.

Senate bill No. 297, an Act supplementary to an Act entitled an Act concerning crimes and punishments

Mr. Chappell moved to recommit the bill, with special instructions.

Mr. Owen moved the previous question.

Sustained.

The ayes and noes were demanded, by Messrs. Chappell, Kewen, and Hirst, and the House refused to recommit, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Dickinson, Dodson, Fraser, Hill, Hoag, Hunt, Jenison, Kendrick, Kewen, Lux, Parker, Personette, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Watson, Wilcox, Wiley, Wilsey, and Wright—34.

NOES—Messrs. Boulware, Brooks, Brown of Amador, Buffum, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Erkson, Gray, Hartsough, Hittell, Hubbard, Johnson, Langdon, Littlefield, Ludlow, Martin, McColliam, Owen, Perley, Perrin, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Schaick, Walker of Alameda, Wason, Weston, and Winchester—35.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Wilcox, Chappell, and Clayton, and the bill passed by the following vote :

AYES—Messrs. Allen, Badlam, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Erkson, Gray, Hartsough, Hubbard, Hirst, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Martin, McColliam, Owen, Perley, Perrin, Redfield, Rhoads,

Rule, Scott of Alameda, Smith of Nevada, Sumner, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, and Winchester—41.

NOES—Messrs. Alley, Beaman, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Dickinson, Dodson, Dyer, Fraser, Hittell, Hoag, Hunt, Jenison, Kewen, Lux, Parker, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Wiley, Wilsey, and Wright—29.

Mr. Wilcox gave notice of a motion to reconsider.

SPECIAL ORDER.

Assembly bill No. 103, an Act to prohibit gaming, (the special order of the day,) was taken up.

Mr. Rule moved to reconsider the vote whereby the House refused to order the bill engrossed.

Messrs. Martin, Beaman, and Chappell, demanded the ayes and noes, and the House refused to reconsider, by the following vote:

AYES—Messrs. Boulware, Brooks, Buffum, Chappell, Cherry, Clark, Clayton, Dutton, Erksan, Gray, Hartsough, Johnson, Kendrick, Littlefield, Ludlow, McColliam, Owen, Redfield, Rule, Smith of Nevada, Sumner, Van Schaick, Walker of Alameda, Wason, Winchester, and Wright—26.

NOES—Messrs. Allen, Alley, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Devoe, Dickinson, Dodson, Dyer, Fraser, Hill, Hoag, Hunt, Hirst, Kewen, Langdon, Lux, Martin, Mebius, Parker, Pratt, Scott of Siskiyou, Sepulveda, Snyder, Teare, Tukey, Walker of Fresno, Watson, Weston, Wilcox, Wiley, and Wilsey—35.

Assembly bill No. 396, an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fifth, eighteen hundred and sixty-three.

Mr. Dodson moved to strike out section one of the bill.

Adopted.

Mr. Martin moved to indefinitely postpone the bill.

The House so ordered.

The rules were suspended for the following report by Mr. Watson:

Mr. SPEAKER:—The Sacramento delegation, to whom was referred Senate bill No. 341, an Act to provide for the election of Police Judge of the City of Sacramento at the time of the election of other judicial officers, have had the same under consideration, and recommend its passage.

WATSON, for Delegation.

Mr. Wright moved a call of the House.

So ordered.

The following gentlemen were absent:

Messrs. Allen, Alley, Brooks, Campbell of El Dorado, Castro, Dickinson, Dodson, Dow, Green, Hartsough, Hill, Hunt, Hirst, Jenison, Ludlow, Lynch, Mitchell, Perrin, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Snyder, Tukey, Van Leuven, Walker of Fresno, Watson, Wilcox, Wiley, Winchester, and Wood.

Mr. Chappell had leave of absence for one day.

Assembly bill No. 415, an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three—made special order for Tuesday, March twenty-ninth, at ten o'clock and thirty minutes, on motion of Mr. Hittell.

Senate bill No. 358, an Act to provide for the settlement of certain land claims within the City and County of San Francisco.

Mr. Campbell of San Francisco offered an amendment to section six.

Adopted.

The rules were suspended, and the bill read third time, and passed.

Assembly bill No. 402, an Act to authorize the sale and conveyance to the San Francisco Cordage Company of certain Overflowed Lands in the City and County of San Francisco—read third time, and passed, and title amended.

Assembly bill No. 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three—rules suspended, amended, read third time, and passed.

Assembly bill No. 437, an Act for the relief of Matthew Mullen and others.

Mr. Buffum moved to indefinitely postpone the bill.

Lost.

The bill was referred to the Committee on Claims, with instructions to report on Tuesday, March twenty-ninth.

Senate bill No. 172, an Act to authorize Thomas Cutler, D. M. Kenfield, John Sedgwick, and their associates or assigns, to construct and maintain a toll road in the County of Tuolumne—rules suspended, read third time, and passed.

Assembly bill No. 418, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three.

Mr. McColliam raised a point of order that the House could not further consider the bill, it having been introduced in contravention of Rule Twelve of the Joint Standing Rules of the Senate and Assembly, a bill of similar purpose having been previously postponed indefinitely by the Assembly.

The Speaker (Mr. Wright in the Chair) decided that the point of order was not well taken.

Mr. McColliam appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded, by Messrs. Cherry, McColliam, and Ludlow, and the decision of the Chair was sustained, by the following vote:

AYES—Messrs. Boulware, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Dickinson, Dodson, Hill, Hubbard, Jenison, Kendrick, Kewen, Martin, Owen, Parker, Perley, Personette, Rule, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Wason, Weston, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Mr. Speaker—30.

NOES—Messrs. Beaman, Bowman, Brooks, Brown of Amador, Cherry, Clark, Clayton, Devoe, Dutton, Erkson, Gray, Hittell, Hoag, Hirst, Langdon, Littlefield, Ludlow, McColliam, Mebius, Perrin, Redfield, Smith of Nevada, Sumner, Van Schaick, and Walker of Fresno—25.

Mr. McColliam moved the indefinite postponement of the bill.

On which, the ayes and noes were demanded, by Messrs. McColliam, Dodson, and Wright.

Mr. Ludlow moved to adjourn.

Lost.

Mr. Wiley moved to suspend further consideration of the bill for five minutes.

Adopted.

The rules were suspended for the following

MESSAGES FROM THE SENATE.

SENATE CHAMBER,
March 26th, 1864. }

Mr. SPEAKER:—The Senate, this day, concurred in Assembly amendments to Senate amendment to Assembly bill No. 249, an Act to provide for funding the indebtedness of Tehama County;

Also, concurred in Assembly amendments to Senate bill No. 170, an Act to suspend the laws allowing the sale of unsurveyed land, and relating to the issuance of patents;

Also, concurred in Assembly amendments to Senate bill No. 254, an Act to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 26th, 1864. }

Mr. SPEAKER:—The Senate, this day, refused to recede from its amendments to Assembly bill No. 329, an Act relating to the establishment of the eastern boundary of the State of California, and appointed a Committee of Free Conference, consisting of Messrs. Evans, Burnell, and Crane, and requests the Assembly to appoint a like committee.

A. W. BISHOP,
Assistant Secretary.

The Chair announced as such committee on the part of the Assembly, Messrs. Perrin, Clark, and Tukey, and the bill above reported was referred to said committee.

SENATE CHAMBER,
March 26th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed, under a suspension of the rules, Assembly bill No. 250, an Act to provide for the support of the privilege of free suffrage during the continuance of the war;

Also, Senate bill No. 365, an Act to enable the State to acquire title to certain grounds adjoining the State Prison grounds at Point San Quentin, for State Prison purposes.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 26th, 1864. }

Mr. SPEAKER:—I am directed to inform your honorable body that the Senate, on the twenty-fifth instant, passed Assembly bill No. 376, an Act

to provide for paying the legal and equitable indebtedness of the City of San José.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 365, above reported, read first and second times, and referred to the Judiciary Committee.

The consideration of Assembly bill No. 418 was resumed.

The House refused to indefinitely postpone it, by the following vote, under the previous question, moved by Mr. Teare, and sustained.

AYES—Messrs. Beaman, Bowman, Brooks, Brown of Amador, Buffum, Cherry, Clark, Clayton, Devoe, Dutton, Erkson, Gray, Hartsough, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Martin, McColliam, Mebius, Perrin, Redfield, Smith of Nevada, Sumner, and Van Schaick—30.

NOES—Messrs. Alley, Boulware, Brown of Tulare, Campbell of San Francisco, Castro, Dickinson, Dodson, Hill, Hittell, Hoag, Hubbard, Kendrick, Kewen, Owen, Perley, Rhoads, Rule, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wright—33.

On ordering the bill engrossed, Messrs. Martin, Cherry, and McColliam, demanded the ayes and noes, and the House ordered the bill engrossed and read third time, by the following vote:

AYES—Messrs. Alley, Boulware, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Dickinson, Dodson, Hill, Hittell, Hoag, Hubbard, Kendrick, Kewen, Owen, Perley, Rhoads, Rule, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wright—31.

NOES—Messrs. Badlam, Beaman, Bowman, Brooks, Brown of Amador, Cherry, Clark, Clayton, Devoe, Dutton, Erkson, Gray, Hartsough, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Martin, McColliam, Mebius, Parker, Perrin, Redfield, Smith of Nevada, Sumner, and Van Schaick—28.

Mr. Campbell of San Francisco moved to reconsider the vote whereby the House passed Senate bill No. 365, to adopt an amendment to the bill previously omitted.

The vote was reconsidered, the amendment adopted, and the bill again passed.

At four o'clock and fifty-five minutes p. m., on motion of Mr. Kewen, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, March 28th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by Reverend Mr. Buell.

Leave of absence for one day was granted to Mr. Dow.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 219, an Act to confirm and legalize certain assessment rolls of the City and County of San Francisco, and to provide for the collection of the delinquent taxes thereon ;

Also, Assembly bill No. 427, an Act relating to the First Judicial District, and to fix the time of holding the Courts in said district ;

Also, Assembly bill No. 442, an Act to authorize Phineas Banning, his associates and assigns, to construct a watercourse from San Gabriel River to Camp Drum and the Town of Wilmington, in Los Angeles County ;

Also, Assembly bill No. 428, an Act fixing the salaries of the county officers of Nevada County ;

Also, Assembly bill No. 424, an Act to regulate the fees of officers of the County of Trinity.

DYER, Chairman.

Mr. Wilsey, Chairman of the Committee on Corporations, made the following report :

MR. SPEAKER :—Your Committee on Corporations, to whom was referred Senate bill No. 169, an Act concerning assessments upon the stock of corporations, have had the same under consideration, beg leave to return the same, and recommend its passage ;

Also, Senate bill No. 368, an Act concerning corporations, have had the same under consideration, and recommend its passage ;

Also, Senate bill No. 332, an Act for the relief of the Burning Moscow Gold and Silver Mining Company, have considered the same, and recommend its passage ;

Also, Senate bill No. 167, an Act supplementary to an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads, or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one, have had the same under consideration, and beg leave to return the same without recommendation.

WILSEY, Chairman.

Mr. Tukey, Chairman of the Committee on State Prison, made the following report :

Mr. SPEAKER:—The Committee on State Prison, to whom was referred Assembly bill No. 397, report the same back and recommend its passage;

Also, Assembly bill No. 413, report the same back, and recommend its passage as amended.

TUKEY, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report:

Mr. SPEAKER:—The Committee on Ways and Means, to whom was referred Senate bill No. 179, an Act to amend an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three, have had the same under consideration, ask leave to report it back, and recommend its passage;

Also, Assembly bill No. 285, an Act concerning the office of the Clerk of the Supreme Court, amended the same, and recommend its passage as amended.

ALLEN, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

Mr. SPEAKER:—The Judiciary Committee, to whom was referred Senate bill No. 365, an Act to enable the State to acquire title to certain grounds adjoining the State Prison grounds at Point San Quentin, for State Prison purposes, have had the same under consideration, and report the bill back with recommendation of its passage;

Also, Assembly bill No. 448, an Act to regulate proceedings in the Courts of justice of this State in certain cases, and recommend the passage of the same;

Also, Assembly bill No. 392, an Act supplementary to an Act entitled an Act concerning officers, approved April twenty-second, eighteen hundred and sixty-three, report the same back with an amendment, and recommend its passage as amended.

CAMPBELL of San Francisco, Chairman.

On motion of Mr. Wright, Assembly bill No. 448, above reported, was considered, and, under suspension of the rules, was considered engrossed, read third time, and passed.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report:

Mr. SPEAKER:—The Committee on Public Morals, to whom was referred Senate bill No. 248, an Act to amend an Act passed April second, eighteen hundred and fifty-five, entitled an Act to suppress houses of ill-fame, have considered the same, and report it back to the House with the unanimous recommendation of its passage.

WALKER of Alameda, Chairman.

Mr. Tukey, Chairman of the Committee on State Prison, made a report on State Prison affairs.

Ordered printed.

[For report, see Appendix.]

Mr. Cherry made the following report:

Mr. SPEAKER:—The San Francisco delegation, to whom was referred Assembly bill No. 439, an Act concerning the Central Railroad of San Francisco, having had the same under consideration, report it back with amendments, and without recommendation.

CHERRY, for Delegation.

Mr. Brown of Amador made the following report:

Mr. SPEAKER:—Your special committee, to whom was referred Assembly bill No. 455, an Act to incorporate the Town of Markleeville, have had the same under consideration, and report it back with a substitute, and recommend the passage of the substitute.

BROWN of Amador,
LUDLOW.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 26th, 1864.

To the Assembly of the State of California:

I have to inform your honorable body that I have approved Assembly bill No. 405, an Act to provide for the continuance and election of a Board of Supervisors in and for the County of San Mateo, and to define and limit the powers and duties of said Board in certain cases.

FRED'K F. LOW,
Governor.

RESOLUTIONS.

The following resolution was offered:

Resolved, That the Committee on Ways and Means be and they are hereby instructed to report back to the House, to-morrow morning, Assembly bill No. 433, an Act to provide for the collection of certain monies due this State for taxes on consigned goods.

Mr. Wilcox moved to lay the resolution on the table.

On which the ayes and noes were demanded, by Messrs. Martin, Wilcox, and McColliam, and the roll was called, with the following result:

AYES—Messrs. Allen, Alley, Brooks, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dutton, Gray, Green, Hittell, Hunt, Hirst, Johnson, Kewen, Langdon, Lux, McColliam, Mebius, Parker, Perrin, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Fresno, Wilcox, Wiley, Wilsey, and Wright—36.

NOES—Messrs. Badlam, Beaman, Boulware, Brown of Amador, Buffum, Erkson, Fraser, Hartsough, Hubbard, Jenison, Littlefield, Martin, Perley, Personette, Rhoads, Rule, Smith of Nevada, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, and Winchester—25.

Mr. Winchester moved to reconsider the vote by which the House

passed Senate bill No. 297, an Act supplementary to an Act entitled an Act concerning crimes and punishments.

Mr. Martin moved to indefinitely postpone the motion to reconsider.

On which, the ayes and noes were demanded, by Messrs. Wilcox, Wright, and Winchester, and the roll was called, with the following result:

AYES—Messrs. Allen, Badlam, Boulware, Brooks, Brown of Amador, Buffum, Castro, Cherry, Clayton, Devoe, Dutton, Erkson, Fraser, Green, Hartsough, Hittell, Hubbard, Hunt, Jenison, Johnson, Kendrick, Littlefield, Ludlow, Martin, McColliam, Owen, Perley, Perrin, Rhoads, Rule, Smith of Nevada, Sumner, Teare, Van Leuven, Van Schaick, Walker of Alameda, Wason, Weston, and Winchester—39.

NOES—Messrs. Alley, Bowman, Campbell of San Francisco, Clark, Dickinson, Dodson, Hirst, Kewen, Langdon, Lux, Mebius, Parker, Personette, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Tukey, Walker of Fresno, Watson, Wilcox, Wilsey, Whallon, and Wright—24.

Mr. Martin offered the following resolution:

Resolved, That the Committee on Ways and Means be and they are hereby instructed to report back to the House, in one hour, Assembly bill No. 433, an Act to provide for the collection of certain moneys due this State for taxes on consigned goods.

Mr. Wilcox moved to lay the resolution on the table.

On which motion, the ayes and noes were demanded, by Messrs. Martin, Winchester, and Rule, and the resolution was laid on the table, by the following vote:

AYES—Messrs. Allen, Alley, Bowman, Brooks, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dutton, Gray, Green, Hittell, Hoag, Hunt, Hirst, Johnson, Kendrick, Kewen, Ludlow, Lux, McColliam, Mebius, Parker, Perrin, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Van Leuven, Walker of Fresno, Wilcox, Wiley, Wilsey, and Wright—39.

NOES—Messrs. Badlam, Beaman, Boulware, Brown of Amador, Buffum, Erkson, Fraser, Hartsough, Hubbard, Jenison, Langdon, Littlefield, Martin, Owen, Perley, Personette, Pratt, Rhoads, Rule, Smith of Nevada, Sumner, Van Schaick, Walker of Alameda, Wason, Watson, Weston, and Winchester—27.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,
March 28th, 1864. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate, on the twenty-fifth instant, passed Senate bill No. 355, an Act granting the right to construct and maintain a toll bridge across the Colorado River, below the junction of that stream with the Gila River, to certain parties, their associates or assigns;

Also, on the twenty-sixth instant, the Senate refused to pass, over the veto of the Governor, Assembly bill No. 286, an Act to authorize the

Guardian of certain minor children to sell and convey real estate. Said bill is herewith returned to the Assembly.

CHAS. WESTMORELAND,
Secretary.

Senate bill No. 355, above reported, read first and second times, and placed on file.

INTRODUCTION OF BILLS.

The rules were suspended, and bills were introduced as follows:

By Mr. Erkson, for an Act to authorize the Board of Supervisors of Santa Clara County to sell and dispose of the stock of said county in the San Francisco and San José Railroad Company, and to protect its property in the same.

Read first and second times, and placed on file.

By Mr. Wright, for an Act relating to proceedings in civil cases in the Courts of justice of this State.

Read first and second times, and referred to the Judiciary Committee

By Mr. Owen, for an Act to encourage the construction of telegraph lines so as to place the Colorado River in telegraphic communication with the City of San Francisco.

Read first and second times, rules suspended, considered engrossed, read third time, and passed, and the Clerk instructed to report the same immediately to the Senate.

GENERAL FILE.

Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress.

The question being on concurring in Senate amendments to the bill, the ayes and noes were demanded, by Messrs. Whallon, Sepulveda, and Hoag, and the amendments were concurred in, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Buffum, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Devoe, Dodson, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hart-sough, Hubbard, Hirst, Jenison, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Personette, Pratt, Rhoads, Rule, Smith of Nevada, Sumner, Teare, Tukey, Van Leuven, Van Sbaieck, Walker of Alameda, Wason, Wilcox, Wiley, Winchester, and Wright—51.

NOES—Messrs. Brown of Amador, Dickinson, Hittell, Hoag, Kendrick, Kewen, Redfield, Sepulveda, Smith of Sonoma, Walker of Fresno, Weston, and Whallon—12.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 418, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three.

DYER, Chairman.

Assembly bill No. 237, an Act to divide the County of Placer into Supervisor and Revenue Districts, and to provide for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith—Senate amendments concurred in.

Senate bill No. 364, an Act to amend an Act entitled an Act to incorporate the City of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three.

Mr. Badlam moved to strike out section four of the bill.

Adopted.

The rules were suspended, the bill read third time, and passed.

Assembly bill No. 399, an Act to provide for a street railroad in the Western Addition of the City and County of San Francisco—indefinitely postponed.

Assembly bill No. 393, an Act to amend an Act to provide for a street railroad within the City and County of San Francisco, and other matters relating thereto, approved April twenty-first, eighteen hundred and sixty-three.

On motion of Mr. Cherry, the bill was recommitted to the San Francisco delegation.

Assembly bill No. 436, an Act to amend an Act entitled an Act to fund the indebtedness of Calaveras County, approved April twenty-first, eighteen hundred and sixty-three—rules suspended, bill considered engrossed, read third time, and passed, and title amended.

Assembly bill No. 438, an Act supplemental to an Act entitled an Act to amend an Act abolishing the office of County Assessor, and establishing the office of Township Assessors, in the County of Calaveras, approved April twenty-eighth, eighteen hundred and sixty, and to define their duties, and the duties of the other officers connected with the collection and disbursement of the revenue of said county more clearly, approved April twenty-fourth, eighteen hundred and sixty-two—rules suspended, bill considered engrossed, read third time, and passed.

Assembly bill No. 443, an Act supplemental to an Act entitled an Act to make certain offices in the County of Calaveras salaried offices, approved April twenty-fifth, eighteen hundred and sixty-three—rules suspended, bill considered engrossed, read third time, and passed.

Senate bill No. 316, an Act to provide for the levying, assessing, and collecting, of a Cash Contingent Fund for the County of San Diego—rules suspended, bill read third time, and passed.

Senate bill No. 393, an Act for the relief of the State Agricultural Society.

Mr. Winchester moved to amend section one, by striking out the words "At the time of levying the annual municipal taxes for the year eighteen hundred and sixty-five."

Adopted.

Mr. Dodson moved to amend the second section, by striking out the words "At the next regular meeting after the passage of this Act."

Adopted.

Mr. Langdon moved to add the following to section one:

"*Provided*, That before levying said tax, the question shall be submitted to the legal voters of said city and county, and if a majority thereof vote against said tax, then the same shall not be levied."

On the adoption of the amendment, the ayes and noes were demanded,

by Messrs. Badlam, Watson, and Rhoads, and the House refused to adopt, by the following vote :

AYES—Messrs. Badlam, Bowman, Clark, Devoe, Dow, Gray, Hittell, Johnson, Langdon, Martin, McColham, Mebius, Perrin, Rhoads, Smith of Nevada, Walker of Alameda, Wason, Watson, and Winchester—19.

NOES—Messrs. Allen, Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Cherry, Dickinson, Dodson, Dyer, Fraser, Green, Hartsough, Hoag, Hubbard, Hirst, Kendrick, Kewen, Ludlow, Lux, Parker, Personette, Pratt, Sepulveda, Smith of Sonoma, Sumner, Teare, Van Leuven, Walker of Fresno, Wilcox, Whallon, and Wright—33.

Mr. Walker moved to amend, by inserting an additional section, as follows :

“Section 3. No tax shall be levied under the first section of this Act but by the unanimous approval of the Board of Trustees of the City of Sacramento, nor under the second section but by the unanimous approval of the Board of Supervisors.”

Mr. Kewen moved the previous question.

Sustained.

On the adoption of Mr. Walker's amendment, the ayes and noes were demanded, by Messrs. Badlam, Rhoads, and Walker, and the amendment was rejected, by the following vote :

AYES—Messrs. Badlam, Devoe, Dutton, Gray, Hittell, Langdon, Martin, McColham, Mebius, Perrin, Personette, Rhoads, Smith of Nevada, Walker of Alameda, Watson, and Weston—16.

NOES—Messrs. Allen, Beaman, Bowman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Dickinson, Dodson, Dyer, Fraser, Green, Hartsough, Hoag, Hubbard, Hirst, Johnson, Kendrick, Kewen, Ludlow, Lux, Parker, Sepulveda, Smith of Sonoma, Sumner, Teare, Van Leuven, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, Whallon, and Wright—39.

On the question of ordering the bill to third reading, the ayes and noes were demanded, by Messrs. Badlam, Walker, and Watson, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Cherry, Clark, Clayton, Dickinson, Dodson, Dyer, Fraser, Green, Hartsough, Hirst, Johnson, Kendrick, Kewen, Ludlow, Lux, McColham, Parker, Personette, Sepulveda, Smith of Sonoma, Sumner, Teare, Van Leuven, Van Schaick, Walker of Fresno, Wason, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Wright—38.

NOES—Messrs. Badlam, Devoe, Dutton, Hittell, Langdon, Martin, Mebius, Perrin, Rhoads, Smith of Nevada, Walker of Alameda, and Watson—12.

Mr. Wilcox moved that the rules be suspended, and the bill placed on its passage.

The House so ordered

On the passage of the bill, the ayes and noes were demanded, by Messrs. Badlam, Martin, and Hartsough, and the bill was passed, by the following vote :

AYES—Messrs. Allen, Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Cherry, Clark, Clayton, Dodson, Dyer, Fraser, Green, Hartsough, Hoag, Hirst, Johnson, Kendrick, Kewen, Ludlow, Lux, McColliam, Personette, Sepulveda, Smith of Sonoma, Sumner, Teare, Van Leuven, Van Schaick, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wright—40.

NOES—Messrs. Badlam, Bowman, Devoe, Dutton, Hittell, Martin, Mebius, Perrin, Pratt, Rhoads, and Walker of Alameda—11.

Mr. Watson gave notice that he would, on to-morrow, move to reconsider the vote by which the bill was passed.

Mr. Martin moved to take up Assembly bill No. 439, an Act concerning the Central Railroad Company in the City of San Francisco.

On suspending the rules, the ayes and noes were demanded, by Messrs. McColliam, Hittell, and Clayton, and the House agreed to suspend the rules and take up the bill, by the following vote :

AYES—Messrs. Allen, Beaman, Boulware, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Cherry, Devoe, Dickinson, Dutton, Fraser, Green, Hoag, Hirst, Johnson, Kewen, Ludlow, Lux, Martin, Perley, Personette, Rhoads, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Wright—33.

NOES—Messrs. Bowman, Brooks, Buffum, Castro, Clayton, Erkson, Hittell, Jenison, Kendrick, Littlefield, McColliam, and Van Schaick—12.

The amendments reported by the delegation were adopted.

Mr. Beaman moved the previous question.

Sustained.

On suspending the rules to consider the bill engrossed, the ayes and noes were demanded, by Messrs. Martin, Brooks, and McColliam, and the House agreed, by the following vote :

AYES—Messrs. Allen, Alley, Beaman, Brown of Amador, Buffum, Campbell of San Francisco, Castro, Cherry, Devoe, Dickinson, Dodson, Dyer, Fraser, Gray, Green, Hirst, Johnson, Kewen, Ludlow, Lux, Martin, Parker, Perley, Perrin, Personette, Rhoads, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Wright—39.

NOES—Messrs. Bowman, Boulware, Brooks, Hittell, Hoag, Jenison, Littlefield, McColliam, Mebius, Pratt, Scott of Siskiyou, Van Leuven, Van Schaick, and Weston—14.

The bill was considered engrossed.

On the passage, the ayes and noes were demanded by Messrs. McColliam, Brooks, and Scott of Siskiyou, and the bill passed, by the following vote :

AYES—Messrs. Allen, Alley, Beaman, Boulware, Brown of Amador, Buffum, Campbell of San Francisco, Castro, Cherry, Devoe, Dickinson, Dyer, Fraser, Gray, Green, Hirst, Johnson, Kewen, Langdon, Ludlow, Lux, Martin, McColliam, Parker, Perley, Perrin, Personette, Rhoads, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Wright—40.

NOES—Messrs. Badlam, Bowman, Brooks, Erkson, Hittell, Hoag, Jenison, Littlefield, Mebius, Pratt, Redfield, Scott of Siskiyou, Van Leuven, Van Schaick, and Weston—15.

Mr. McColliam gave notice of a motion to reconsider.

Mr. Wilcox moved to suspend the Fifty-Eighth Rule, and transmit the bill to the Senate forthwith.

On which, Messrs. McColliam, Scott of Siskiyou, and Littlefield, demanded the ayes and noes, and the motion was lost, by the following vote:

AYES—Messrs. Allen, Alley, Beaman, Brown of Tulare, Buffum, Campbell of San Francisco, Devoe, Dodson, Green, Hubbard, Hirst, Johnson, Kewen, Langdon, Ludlow, Lux, Martin, Perley, Personette, Rhoads, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Watson, Wilcox, Wiley, Wilsey, Whallon, and Wright—30.

NOES—Messrs. Badlam, Bowman, Boulware, Brooks, Brown of Amador, Castro, Cherry, Erkson, Gray, Hittell, Jenison, Littlefield, McColliam, Mebius, Parker, Perrin, Pratt, Scott of Siskiyou, Smith of Nevada, Sumner, Van Leuven, Van Schaick, Walker of Fresno, Wason, and Winchester—24.

Assembly bill No. 244, an Act to amend an Act entitled an Act for the protection of game, passed May thirteenth, eighteen hundred and fifty-four, as amended by an Act approved April seventeenth, eighteen hundred and sixty-one.

Mr. Whallon offered an amendment.

Adopted.

The rules being suspended, the bill was considered engrossed, read third time, and passed.

Assembly bill No. 445, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and sixty-one—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 426, an Act to amend an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, approved May seventeenth, eighteen hundred and sixty-one—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 258, an Act to amend an Act entitled an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, passed May seventeenth, eighteen hundred and sixty-one—indefinitely postponed, on motion of Mr. Kewen.

Assembly bill No. 223, an Act to provide for the collection of statistics—amended, rules suspended, considered engrossed, read third time, and passed, the Fifty-Eighth Rule suspended, and the bill transmitted to the Senate.

Assembly bill No. 256, an Act supplementary to and to amend an Act

entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three—amended, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 254, an Act to amend an Act entitled an Act concerning the Courts of justice and judicial officers, approved April twentieth, eighteen hundred and sixty-three—rules suspended, considered engrossed, read third time, and passed.

The vote whereby the bill passed was reconsidered, and the consideration thereof made the special order of the day for March twenty-ninth, at ten o'clock and thirty minutes A. M.

Assembly bill No. 255, an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three—amended, ordered engrossed and read third time.

Senate bill No. 301, an Act to amend an Act entitled an Act to make certain offices in the County of Tuolumne salaried offices, approved February twenty-first, eighteen hundred and sixty-one—rules suspended, read third time, and passed.

Senate bill No. 341, an Act to provide for the election of the Police Judge of the City of Sacramento at the time of the election of other judicial officers—rules suspended, read third time, and passed.

Assembly bill No. 449, an Act to provide for the disposal of lots in the Town of Red Bluff—referred to the Judiciary Committee, with instructions to report to-morrow.

Assembly bill No. 454, an Act to legalize the official bond of J. W. Dickinson, Treasurer of Placer County—rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 287, an Act to fix the salary of the Clerk of the Board of Supervisors of the County of Sonoma—rules suspended, read third time, and passed.

Senate bill No. 290, an Act to fix the compensation of the Board of Supervisors of Sonoma County—rules suspended, read third time, and passed.

Senate bill No. 299, an Act to confer certain powers on the Board of Supervisors of Sonoma County—rules suspended, read third time, and passed.

The rules were suspended, and Mr. Teare introduced a bill for an Act amendatory of an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador, approved April twenty-fifth, eighteen hundred and sixty-two.

The rules were again suspended, the bill considered engrossed, read third time, and passed.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 28th, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 290, an Act to provide for the election of Township Assessors in the County of Alameda ;

Also, Assembly bill No. 283, an Act to amend an Act entitled an Act

concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two;

Also, Assembly bill No. 334, an Act concerning roads and highways in Santa Clara County;

Also, Assembly bill No. 304, an Act to amend section nineteen of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

FRED'K F. LOW,
Governor.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 28th, 1864. }

To the Assembly of the State of California:

I herewith return, without my approval, Assembly bill No. 247, an Act to authorize the Executors of the last will and testament of Elias S. Cooper, deceased, to sell and convey real estate;

Also, Assembly bill No. 234, an Act to authorize Lucian B. Healy to sell real estate.

The same principle is embodied in both bills, which is the authorizing of Administrators, Executors, and Guardians, to sell real property belonging to minor heirs at public or private sale without first obtaining an order from the Probate Court.

I can only reiterate what I have heretofore said in connection with bills of a similar character, that I believe this class of legislation unwise, and contrary to the spirit and intent of the Constitution, and I must, therefore, return them without my approval.

FRED'K F. LOW,
Governor.

On the question, "Shall Assembly bill No. 247 pass, notwithstanding the objection of the Governor?" the roll was called, and the bill passed, by the following vote:

AYES—Messrs. Allen, Beaman, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Devoe, Dodson, Fraser, Gray, Green, Hirst, Jenison, Johnson, Ludlow, Lux, Martin, McColliam, Owen, Perrin, Pratt, Rhoads, Rule, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, and Wright—34.

NOES—Messrs. Badlam, Bowman, Brooks, Buffum, Clark, Clayton, Dutton, Hartsough, Hittell, Hubbard, Langdon, Littlefield, Mobius, and Redfield—14.

On the question, "Shall Assembly bill No. 234 pass, notwithstanding the objection of the Governor?" the roll was called, and the bill passed, by the following vote:

AYES—Messrs. Allen, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Devoe, Dickinson, Dodson, Fraser, Gray, Green, Hirst, Jenison, Johnson, Ludlow, Lux, Martin, McColliam, Owen, Perrin, Pratt, Rhoads, Rule, Smith of Nevada, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Wilsey, Winchester, and Wright—36.

NOES—Messrs. Bowman, Brooks, Buffum, Clark, Clayton, Dutton,

Hartsough, Hittell, Hubbard, Langdon, Littlefield, Mebius, Redfield, and Watson—13.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 28th, 1864. }

MR. SPEAKER:—I am instructed to inform the Assembly that the Senate, this day, passed Assembly bill No. 442, an Act to authorize Phineas Banning, his associates and assigns, to construct a water course from San Gabriel River to Camp Drum and the Town of Wilmington, in Los Angeles County;

Also, passed Senate bill No. 421, an Act defining the legal distances from the county seat of Alpine County to the Capital, Lunatic Asylum, and State Prison.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 28th, 1864. }

MR. SPEAKER:—I am instructed to inform the Assembly that the Senate, on the twenty-second instant, indefinitely postponed Assembly bill No. 287, an Act to amend the Act entitled an Act to provide for the formation of corporations for certain purposes, passed April fourteenth, eighteen hundred and fifty-three;

Also, this day, passed Assembly bill No. 412, an Act to authorize the formation of an association for the improvement of horses and neat cattle;

Also, on the twenty-sixth instant, passed Senate bill No. 418, an Act to add an additional section to an Act entitled an Act to amend an Act entitled an Act to provide for the location and sale of the unsold portion of the five hundred thousand acres of land granted to this State for School purposes, and the seventy-two sections donated to this State for the use of a Seminary of learning, approved April twenty-third, eighteen hundred and fifty-eight, and Acts amendatory thereof, approved March twenty-fourth, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 421, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 418, above reported, read first and second times, and referred to the Committee on Education.

MISCELLANEOUS.

On motion of Mr. Wright, the House took up Senate bill No. 169, an Act concerning assessments upon the stock of corporations.

Bill read third time, and, by unanimous consent, the Chief Clerk was authorized to amend the bill, in section six, by striking out the words "four successive Saturdays," and inserting "once a week for four successive weeks," and the bill passed.

The rules were suspended for the following report by Mr. Allen :

Mr. SPEAKER:—The San Joaquin delegation, to whom was referred Senate bill No. 175, an Act to authorize the Board of Supervisors of San Joaquin County to appropriate money, have had the same under consideration, beg leave to report it back, and recommend its passage.

ALLEN,
PERLEY.

The rules were suspended, and the bill above reported read third time, and passed.

On motion of Mr. Martin, the rules were suspended, and Senate bill No. 332, an Act for the relief of the Burning Moscow Gold and Silver Mining Company, was taken up, read third time, and passed.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 334, an Act concerning roads and highways in Santa Clara County ;

Also, Assembly bill No. 272, an Act to grant to William Beale the right to construct a toll road from Arms' Store, in Sierra Valley, to the Junction House on the Henness Pass Road, in the County of Sierra, and to collect toll thereon ;

Also, Assembly bill No. 290, an Act to provide for the election of Township Assessors in the County of Alameda ;

Also, Assembly bill No. 232, an Act to grant to John N. Dudleston, D. H. Haskill, and their associates and assigns, the right to construct and maintain a toll road in Mono County ;

Also, Assembly bill No. 304, an Act to amend section nineteen of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 283, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer, approved April twenty-fourth, eighteen hundred and sixty-two ;

And on Saturday, March twenty-sixth, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

The rules were suspended on motion of Mr. Martin, and Senate bill No. 368, an Act concerning corporations, was taken up, read third time, and passed.

Mr. Kewen moved to adjourn.

Lost.

SENATE CHAMBER,
March 28th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Senate bill No. 423, an Act to attach Lassen County to the Third Congressional District.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 423, above reported, read first and second times, rules suspended, read third time, and passed.

At four o'clock P. M., on motion of Mr. Dutton, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Tuesday, March 29th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Martin moved to reconsider the vote whereby the House passed Assembly bill No. 439, an Act concerning the Central Railroad in the City of San Francisco.

Mr. Wilcox moved to indefinitely postpone the motion to reconsider.

On which, Messrs McColliam, Van Schaick, and Redfield, demanded the ayes and noes, and the motion of Mr. Wilcox prevailed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dow, Dyer, Fraser, Green, Hartsough, Hubbard, Hunt, Hirst, Johnson, Kewen, Langdon, Ludlow, Lux, Martin, Perley, Perrin, Personette, Rhoads, Sepulveda, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wilcox, Wiley, Wilsey, Winchester, Whallon, Wood, and Wright—48.

NOES—Messrs. Bowman, Brooks, Buffum, Erkson, Hittell, Hoag, Jenison, Kendrick, Littlefield, McColliam, Mebius, Owen, Redfield, Scott of Siskiyou, Smith of Nevada, Snyder, Van Leuven, and Van Schaick—18.

Mr. Dodson moved to reconsider the vote whereby Assembly bill No. 393, relative to the State Agricultural Society, was passed.

Mr. Wilcox moved the previous question.

Sustained.

The House refused to reconsider.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed. Assembly bill No. 439, an Act concerning the Central Railroad of San Francisco;

Also, Assembly bill No. 447, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers;

Also, Assembly bill No. 438, an Act supplemental to an Act entitled an Act to amend an Act abolishing the office of County Assessor and establishing the office of Township Assessors in the County of Calaveras, approved April twenty-eighth, eighteen hundred and sixty, and to define their duties and the duties of the other officers connected with the col-

lection and disbursement of the revenue of said county more clearly, approved April twenty-fourth, eighteen hundred and sixty-two;

Also, Assembly bill No. 436, an Act supplementary to an Act entitled an Act to fund the indebtedness of Calaveras County, approved April twenty-first, eighteen hundred and sixty-three;

Also, Assembly bill No. 443, an Act supplementary to an Act entitled an Act to make certain offices in the County of Calaveras salaried offices, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 454, an Act to legalize the official bond of J. W. Dickinson, Treasurer of Placer County;

Also, Assembly bill No. 445, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one;

Also, Assembly bill No. 426, an Act to amend an Act concerning District Court Reporters for the Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, approved May seventeenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 361, an Act amendatory of and supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two;

Also, Assembly bill No. 256, an Act supplementary to and to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three.

DYER, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 300, an Act to provide for ascertaining the amount of fees paid to certain officers;

Also, Assembly bill No. 384, an Act to amend an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 240, an Act to amend an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 344, an Act to change the name of Frances Ann Blackwell to Frances Ann Hopper;

Also, Assembly bill No. 387, an Act to repeal an Act entitled an Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 301, an Act to provide for furnishing, in printed form, the poll and tally lists papers for certain purposes;

Also, Assembly bill No. 296, an Act to amend an Act to incorporate the Town of Downieville, approved March eighteenth, eighteen hundred and sixty-three;

And, on Monday, March twenty-eighth, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

Your committee have also examined, and report correctly enrolled, Assembly concurrent resolution No. 38, granting Thomas H. Rector, County Clerk of Klamath County, leave of absence;

Also, Assembly concurrent resolution No. 39, relative to Assembly bill No. 216;

And, on the twenty-eighth day of March, eighteen hundred and sixty-four, deposited the same in the Secretary of State's office.

REDFIELD, Chairman.

FIRST SPECIAL ORDER.

At ten o'clock and thirty minutes, the House took up the first special order of the day, Assembly bill No. 415, an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three.

The bill was amended in section thirteen, as follows:

"Section 13. The Second Judicial District shall be composed of the Counties of Tehama, Butte, Plumas, and Lassen."

The roll was called, and the bill passed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Erkson, Fraser, Gray, Green, Hartsough, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Tukey, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Winchester, Whallon, Wood, Wright, and Mr. Speaker—70.

NOES—None.

SECOND SPECIAL ORDER.

Assembly bill No. 254, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three.

The roll was called, and the bill passed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Hartsough, Hittell, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wiley, Wilsey, Winchester, Wood, Wright, and Mr. Speaker—63.

NOES—Messrs. Dickinson, Hoag, Kendrick, Redfield, Sepulveda, Smith of Sonoma, Wilcox, and Whallon—8.

On motion of Mr. Campbell of San Francisco, Assembly bill No. 255 was made the special order for March thirtieth, at half past ten o'clock A. M.

REPORTS RESUMED.

Mr Hoag made the following report :

MR. SPEAKER :—The Sonoma delegation, to whom was referred Assembly bill No. 239, an Act amendatory of and supplementary to an Act concerning roads and highways in certain counties of this State, beg leave to report a substitute, and recommend its passage.

HOAG,
WHALLON,
SMITH of Sonoma.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER :—The Committee on Commerce and Navigation, to whom was referred Assembly bill No. 388, an Act to authorize John S. Williams, his associates and assigns, to construct floating dry docks, and the necessary breakwaters to protect the same, in the Harbor of the City and County of San Francisco, have had the same under consideration, report it back to the House, and recommend its indefinite postponement.

HUNT, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Assembly bill No. 449, an Act to provide for the disposal of lots in the Town of Red Bluff, have had the same under consideration, and beg leave to report the same back, with a recommendation of its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Cherry made the following report :

MR. SPEAKER :—The San Francisco delegation, to whom was referred Assembly bill No. 440, an Act granting to certain parties the right to construct a macadamized road within the City and County of San Francisco, have had the same under consideration, report it back to the House with an amendment, and recommend its passage ;

Also, Assembly bill No. 452, an Act to authorize the Sheriff of San Francisco County to appoint a Matron for the County Jail, and other matters relating thereto, with amendments, and recommend its passage ;

Also, Assembly bill No. 441, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, and recommend its indefinite postponement ;

Also, Assembly bill No. 451, an Act amendatory of an Act to authorize certain parties to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, with amendments, and recommend its passage as amended ;

Also, Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two, and recommend that the House reject the Senate amendments to the same.

CHERRY, for Delegation.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 346, an Act to amend an Act entitled an Act changing the time for assessing the value of real and personal property, and collecting the taxes thereon for State and county purposes, in the County of Sierra, approved April tenth, eighteen hundred and sixty-two;

Also, Assembly bill No. 308, an Act to create the County of Lassen, to define its boundaries, and provide for its organization;

Also, Assembly bill No. 87, an Act relating to certain Swamp Land Districts therein named;

Also, Assembly bill No. 376, an Act to provide for paying the legal and equitable indebtedness of the City of San José;

Also, Assembly bill No. 189, an Act to amend an Act entitled an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two;

And on March twenty-eighth, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Fraser, from the Committee on Counties and County Boundaries, made the following report:

Mr. SPEAKER:—The Committee on Counties and County Boundaries, to whom was referred Senate bill No. 348, an Act to create the County of Coso, to define its boundaries, and to provide for its organization, beg leave to report the same back to the House, and recommend its passage.

FRASER, for Committee.

Mr. Hartsough made the following report:

Mr. SPEAKER:—The Lake, Napa, and Yolo delegations have had under consideration Assembly bill No. 446, an Act to authorize certain parties to construct a lock at the outlet of Clear Lake, beg leave to report the same back with amendments, and recommend its passage as amended.

HARTSOUGH, for Delegations.

The rules were suspended, and the bill above reported considered.

Mr. Martin moved to recommit the bill to the Committee on Commerce and Navigation.

On which, Messrs. Martin, Snyder, and Van Schaick, demanded the ayes and noes, and the House refused to recommit, by the following vote:

AYES—Messrs. Alley, Dow, Erkson, Langdon, Martin, Snyder, Van Schaick, Watson, and Weston—9.

NOES—Messrs. Allen, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Clark, Dickinson, Dodson, Fraser, Hartsough, Hittell, Hoag, Hubbard, Hirst, Jenison, Kendrick, Ludlow, Lux, Mebius, Parker, Perley, Personette, Rhoads, Scott of Alameda, Smith of Sonoma, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Wason, Wilcox, Wiley, Wilsey, Winchester, and Wright—40.

The bill was amended, the rules suspended, and bill considered engrossed.

On ordering it to third reading and passage, the ayes and noes were demanded, by Messrs. Martin, Snyder, and Beaman, and the bill passed, by the following vote :

AYES—Messrs. Allen, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Clark, Devoe, Dickinson, Dodson, Fraser, Gray, Hartsough, Hittell, Hoag, Hubbard, Jenison, Kendrick, Langdon, Lux, Mobius, Personette, Rhoads, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Van Leuven, Walker of Alameda, Walker of Fresno, Wason, Weston, Wiley, Wilsey, Winchester, and Wright—41.

NOES—Messrs. Alley, Badlam, Littlefield, Martin, Perrin, Snyder, Van Schaick, and Watson—8.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

Mr. SPEAKER :—The Committee on Claims, to whom was referred Assembly bill No. 437, an Act for the relief of Mathew Mullen and others, would report that, from the evidence produced, the committee believe that the parties claiming under the bill have paid their State tax twice. They, therefore, beg leave to report the bill back to the House with amendments, and recommend its passage as amended.

CAMPBELL of El Dorado, Chairman.

Mr. Scott of Alameda made the following report :

Mr. SPEAKER :—The Alameda delegation, to whom was referred Senate bill No. 342, an Act to authorize Andrew B. Forbes, his associates and assigns, to construct a wharf at Green Point, in the County of Alameda, report it back, and recommend its passage.

SCOTT of Alameda, for Delegation.

GENERAL FILE.

Assembly bill No. 418, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Redfield, Beaman, and Van Schaick, and the bill was defeated, by the following vote :

AYES—Messrs. Alley, Brown of Tulare, Campbell of San Francisco, Chappell, Dickinson, Dodson, Hittell, Hoag, Hubbard, Hunt, Kendrick, Lux, Perley, Rhoads, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Weston, Wiley, Wilsey, Whallon, and Wright—26.

NOES—Messrs. Allen, Beaman, Bowman, Brooks, Brown of Amador, Buffum, Cherry, Clark, Clayton, Devoe, Dow, Dutton, Erksion, Fraser, Gray, Johnson, Kewen, Littlefield, Ludlow, McColliam, Mobius, Parker, Perrin, Pratt, Redfield, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Leuven, Van Schaick, Watson, Winchester, and Wood—34.

Mr. Kewen gave notice of a motion to reconsider.

Assembly bill No. 397, an Act to provide for the construction of additional cells at the State Prison—rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 413, an Act to provide for levying a tax for State Prison purposes, and to provide for the erection of a Branch Prison at or near the Town of Folsom—considered in Committee of the Whole, (Mr. Cherry in the Chair.)

IN ASSEMBLY.

Reported without recommendation.

Mr. Owen moved to strike out the enacting clause.

On which, the ayes and noes were demanded, by Messrs. Watson, Tukey, and Wiley, and the enacting clause was ordered to be stricken out, by the following vote:

AYES—Messrs. Beaman, Bowman, Brooks, Brown of Amador, Brown of Tulare, Cherry, Clayton, Dickinson, Dutton, Dyer, Fraser, Hoag, Johnson, Kendrick, Lux, Martin, McColliam, Mebius, Owen, Parker, Perrin, Personette, Redfield, Scott of Siskiyou, Sepulveda, Van Leuven, Van Schaick, and Wright—28.

NOES—Messrs. Alley, Badlam, Boulware, Buffum, Campbell of San Francisco, Chappell, Devoe, Hartsough, Hill, Hittell, Hirst, Jenison, Langdon, Ludlow, Perley, Pratt, Rhoads, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Wason, Watson, Weston, Wiley, and Wilsey—27.

Senate bill No. 179, an Act to amend an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three—read third time, and passed.

Assembly bill No. 365, an Act to enable the State to acquire title to certain grounds adjoining the State Prison grounds at Point San Quentin, for State Prison purposes—considered in Committee of the Whole, (Mr. Wiley in the Chair.)

IN ASSEMBLY.

Reported and recommended, read third time, and passed.

Assembly bill No. 392, an Act supplementary to an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three—read third time, and passed, and Fifty-Eighth Rule suspended for transmission to the Senate forthwith.

Senate bill No. 248, an Act to amend an Act passed April second, eighteen hundred and fifty-five, entitled an Act to suppress houses of ill fame—rules suspended, and bill read third time.

On the passage thereof, the ayes and noes were demanded, by Messrs. Owen, Weston, and Perley, and taken, with the following result:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Clayton, Devoe, Dodson, Dow, Dutton, Erkson, Green, Hartsough, Hill, Hittell, Hoag, Hunt, Jenison, Kendrick, Kewen, Littlefield, Ludlow, Lux, McColliam, Owen, Perley, Personette, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Teare, Van Schaick, Walker of Alameda, Wilcox, Wilsey, Winchester, and Wright—48.

NOES—Messrs. Brown of Tulare, Dickinson, Fraser, Langdon, Martin,

Mebius, Parker, Perrin, Scott of Siskiyou, Sepulveda, Weston, Wiley, and Whallon—12.

Mr. Kewen gave notice of reconsideration.

Assembly bill No. 455, an Act to incorporate the Town of Markleeville—substitute adopted, read first and second times, rules suspended, considered engrossed, read third time, and passed.

Senate bill No. 355, an Act granting the right to construct and maintain a public toll bridge across the Colorado River below the junction of that stream with the Gila River to certain parties, their associates or assigns, therein named—rules suspended, read third time, and passed.

Assembly bill No. 456, an Act to authorize the Board of Supervisors of Santa Clara County to sell and dispose of the stock of said county in the San Francisco and San José Railroad Company, and to protect its property in the same—rules suspended, considered engrossed, read third time, and passed.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No 249, an Act to provide for funding the indebtedness of Tehama County ;

Also, Assembly bill No. 350, an Act to provide for the support of the privilege of free suffrage during the continuance of the war ;

Also, Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress ;

And on this twenty-ninth day of March, eighteen hundred and sixty-four, delivered the same to the Governor for his approval,

REDFIELD, Chairman.

Mr. Rule offered the following resolutions :

Resolved, That the Sergeant-at-Arms of the Assembly be allowed four dollars per diem to enable him to remain and close up the business of his office, and that the Controller be authorized to draw his warrant for the same ; also,

Resolved, That Hiram Clock be allowed the sum of twenty-five dollars to defray the expense of returning the furniture in the different committee rooms to the charge of the Honorable Secretary of State, and that the Controller be and is hereby authorized to draw his warrant for the same.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 29th, 1864. }

MR. SPEAKER :—The Senate yesterday passed Senate bill No. 427, an Act for the relief of the General Fund of the State Treasury ;

Also, passed Senate bill No. 21, an Act to amend an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three ;

Also, passed Senate bill No. 389, an Act granting bounties to the volunteers of this State enlisted in the service of the United States;

Also, passed Senate bill No. 251, an Act to prevent the sale of intoxicating liquors on certain days of election to be held in this State;

Also, amended and passed Assembly bill No. 322, an Act to provide for taking the State census.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 29th, 1864. }

Mr. SPEAKER:—The Senate, yesterday, passed, by a constitutional majority over the Governor's veto, Senate bill No. 285, an Act to amend an Act entitled an Act to grant the right to construct a wagon road in Tulare County, approved April twenty-seventh, eighteen hundred and sixty-three, and herewith transmit to the Assembly the bill, together with the Governor's message in writing;

Also, passed Senate bill No. 271, an Act to legalize the assessments for taxes, for the revenue years commencing on the first Monday of March, in the years eighteen hundred and sixty-two and eighteen hundred and sixty-three, in the several counties of this State.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 29th, 1864. }

Mr. SPEAKER:—The Senate, yesterday, passed Senate bill No. 347, an Act to aid the construction of the Central Pacific Railroad, and to secure the use of the same to this State for military and other purposes, and other matters relating thereto;

Also, this day, passed Senate bill No. 122, an Act for the relief of the line officers of the California Volunteers in the service of the United States;

Also, yesterday, passed Senate bill No. 362, an Act to aid in the construction of the California portion of the Pacific Railroad, from the City of San Francisco to the eastern boundary of the State, and to create a funded debt for the payment of the same.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 427, above reported, read first and second times, and referred to the Committee on Ways and Means.

Senate bill No. 21, above reported, read first and second times, and referred to the Committee on Ways and Means.

Senate bill No. 251, above reported, read first and second times, and referred to the Committee on Public Morals.

Senate bill No. 389, above reported, read first and second times, and ordered to General File.

Senate bill No. 271, above reported, read first and second times, and referred to the Judiciary Committee.

Assembly bill No. 322, above reported, was returned, with sundry Senate amendments.

Mr. Martin offered an amendment to the second Senate amendment.

On the adoption of which, the ayes and noes were demanded, by Messrs. Martin, Snyder, and Buffum, and it was rejected, by the following vote:

AYES—Messrs. Dow, Hoag, Littlefield, Martin, Personette, Pratt, Rule, Scott of Siskiyou, Snyder, Teare, Tukey, and Weston—12.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dutton, Erkson, Green, Hartsough, Hittell, Hubbard, Hunt, Jenison, Johnson, Kendrick, Kewen, Ludlow, Lux, McColliam, Mebius, Owen, Perley, Perrin, Redfield, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, Whallon, and Wright—52.

The other Senate amendments were concurred in.

Senate bill No. 347, above reported, was read the first time.

Mr. Teare objected to the second reading.

The Speaker stated the question: "Shall this bill be rejected?"

On this question, the ayes and noes were demanded, by Messrs. Martin, Cherry, and Winchester.

Whereupon, Mr. Wilcox raised a point of order, that objection having been made to the second reading, the bill must lie over one day.

The Speaker ruled the point of order not well taken.

From which ruling Mr. Wilcox appealed.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded, by Messrs. Wilcox, Dyer, and Devoe, and the decision of the Chair was sustained by the following vote:

AYES—Messrs. Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Chappell, Cherry, Clark, Clayton, Dodson, Dutton, Gray, Green, Hartsough, Hunt, Jenison, Johnson, Langdon, Littlefield, Ludlow, Martin, McColliam, Mebius, Owen, Parker, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Leuven, Walker of Alameda, Watson, Weston, Wiley, Wilsey, Winchester, and Wood—44.

NOES—Allen, Alley, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Devoe, Dickinson, Dow, Dyer, Erkson, Fraser, Hittell, Hoag, Hubbard, Hirst, Kendrick, Kewen, Perley, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Tukey, Van Schaick, Walker of Fresno, Wason, Wilcox, Whallon, and Wright—30.

On the question, "Shall the bill be rejected?" the ayes and noes were demanded, as above recorded, and the House refused to reject, by the following vote:

AYES—Messrs. Brown of Tulare, Devoe, Dickinson, Hittell, Hoag, Kendrick, Kewen, Littlefield, Mebius, Redfield, Smith of Sonoma, Van Leuven, Walker of Fresno, and Whallon—14.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clark, Clayton, Dodson, Dow, Dutton, Dyer, Fraser, Gray, Green, Hartsough, Hill, Hubbard, Hunt, Hirst, Jen-

ison, Johnson, Langdon, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—59.

The bill was read second time.

It was moved to refer the bill to the Judiciary Committee.

On which, the ayes and noes were demanded, by Messrs. Teare, Devoe, and Lux, and the House refused, by the following vote :

AYES—Messrs. Alley, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Clark, Devoe, Dickinson, Dow, Dutton, Erkson, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Kewen, Littlefield, Mebius, Perley, Redfield, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Van Leuven, Van Schaick, Walker of Fresno, Wilcox, Whallon, and Wright—34.

NOES—Messrs. Allen, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Campbell of San Francisco, Chappell, Cherry, Clayton, Dodson, Gray, Green, Hartsough, Hubbard, Hunt, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perrin, Personette, Pratt, Rhoads, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wiley, Wilsey, and Winchester—40.

The bill was referred to the Committee on Ways and Means.

Mr. Hittell moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Martin, Hittell, and Dodson, and at four o'clock and forty minutes p. m., pending the consideration of Senate messages, the House adjourned, by the following vote :

AYES—Messrs. Alley, Brown of Amador, Brown of Tulare, Buffum, Campbell of San Francisco, Dickinson, Dodson, Dow, Fraser, Hartsough, Hill, Hittell, Hubbard, Hirst, Jenison, Kendrick, Kewen, Littlefield, Mebius, Perley, Personette, Redfield, Rhoads, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Van Leuven, Walker of Fresno, Wason, Wilcox, Wiley, and Whallon—36.

NOES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Campbell of El Dorado, Chappell, Cherry, Clark, Clayton, Dutton, Erkson, Gray, Green, Langdon, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perrin, Rule, Scott of Alameda, Smith of Nevada, Van Schaick, Walker of Alameda, Watson, Wilsey, Winchester, and Wright—32.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
 Wednesday, March 30th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

By unanimous consent, Mr. Sepulveda introduced a bill for an Act to fund the indebtedness of the County of Los Angeles.

Read first and second times, rules suspended, bill considered engrossed, read third time, and passed, and the Clerk was directed to transmit the same to the Senate.

Mr. Kewen, in pursuance of notice, moved to reconsider the vote whereby the House refused to pass Assembly bill No. 418, an Act supplementary to an Act entitled an Act to establish a Female Department in the County Jail of the City and County of San Francisco, approved April eighth, eighteen hundred and sixty-three.

Mr. McColliam moved to indefinitely postpone the motion to reconsider.

On which motion, the ayes and noes were demanded, by Messrs. Redfield, Beaman, and McColliam.

Mr. McColliam moved the previous question.

Sustained.

On the question to indefinitely postpone the motion to reconsider, the roll was called, and the motion was indefinitely postponed, by the following vote:

AYES—Messrs. Beaman, Bowman, Brooks, Brown of Amador, Campbell of El Dorado, Cherry, Clark, Clayton, Dow, Dutton, Erksan, Fraser, Gray, Hartsough, Hirst, Johnson, Langdon, Littlefield, Ludlow, McColliam, Mebius, Parker, Perrin, Personette, Pratt, Redfield, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Van Leuven, Van Schaick, Wilcox, Winchester, and Wood—35.

NOES—Messrs. Alley, Boulware, Brown of Tulare, Campbell of San Francisco, Castro, Chappell, Devoe, Dickinson, Dodson, Dyer, Hill, Hittell, Hoag, Hubbard, Hunt, Jenison, Kendrick, Kewen, Lux, Rhoads, Sepulveda, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wiley, Wilsey, Whallon, and Wright—32.

Mr. Kewen moved to reconsider the vote by which the House passed Senate bill No. 248, an Act to amend an Act passed April second, eighteen hundred and fifty-five, entitled an Act to suppress houses of ill-fame.

On the motion to reconsider, the ayes and noes were demanded, by Messrs. Kewen, Watson, and Wilcox, and the vote was taken, with the following result:

AYES—Messrs. Beaman, Boulware, Brown of Amador, Brown of Tulare, Campbell of San Francisco, Castro, Devoe, Dickinson, Dyer, Fraser, Hill, Hittell, Hoag, Hubbard, Hirst, Kewen, Langdon, Littlefield, Lux, Martin,

Mebius, Parker, Perrin, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Whallon—39.

NOES—Messrs. Allen, Alley, Badlam, Bowman, Brooks, Buffum, Cherry, Clark, Clayton, Dodson, Dow, Dutton, Erkson, Gray, Hartsough, Hunt, Jenison, Johnson, Kendrick, Ludlow, McColliam, Owen, Perley, Personette, Redfield, Rhoads, Scott of Alameda, Smith of Nevada, Van Leuven, Van Schaick, Walker of Alameda, Wood, and Wright—33.

So the bill was reconsidered.

Mr. Hittell moved to make it the special order for Saturday.

Mr. Wright moved to amend by making the bill the special order for to-morrow.

Mr. Martin moved to amend the amendment so as to place the bill at top of file for Saturday, April second.

On the amendment to the amendment, the ayes and noes were demanded, by Messrs. Clayton, Lux, and Bowman, and the House ordered the bill to top of file for Saturday, by the following vote :

AYES—Messrs. Alley, Beaman, Boulware, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Devoe, Dickinson, Dyer, Fraser, Hill, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Kewen, Langdon, Ludlow, Lux, Martin, Mebius, Parker, Perrin, Personette, Pratt, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Van Schaick, Walker of Fresno, Watson, Weston, Wilcox, Wilsey, Whallon, and Wood—44.

NOES—Messrs. Allen, Badlam, Bowman, Brooks, Cherry, Clayton, Dodson, Dow, Dutton, Erkson, Gray, Hartsough, Johnson, Littlefield, McColliam, Owen, Perley, Redfield, Rhoads, Scott of Alameda, Walker of Alameda, Wason, Winchester, and Wright—24.

Mr. Wright moved that the usual number of copies of the bill be printed.

The House so ordered.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 255, an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 397, an Act to provide for the construction of additional cells at the State Prison ;

Also, Assembly bill No. 446, an Act to authorize certain parties to construct a lock at the outlet of Clear Lake ;

Also, Assembly bill No. 254, an Act to amend an Act entitled an Act concerning the Courts of justice of this State, and judicial officers, approved April twentieth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 415, an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 448, an Act to regulate proceedings in the Courts of justice of this State in certain cases ;

Also, Assembly bill No. 444, an Act to amend an Act entitled an Act

for the protection of game, passed May thirteenth, eighteen hundred and fifty-four, as amended by an Act approved April seventeenth, eighteen hundred and sixty-one.

DYER, Chairman.

SPECIAL ORDER.

Assembly bill No. 255, an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three, (the special order of the day,) was taken up, and read third time.

On its passage, the ayes and noes were demanded, and the bill passed, by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffam, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clark, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Erkson, Fraser, Gray, Green, Hartsough, Hittell, Hubbard, Hunt, Hirst, Johnson, Kendrick, Kewen, Langdon, Littlefield, Ludlow, Martin, McColliam, Mebius, Owen, Perley, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Snyder, Sumner, Teare, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, Wright, and Mr. Speaker—65.

NOES—Messrs. Hoag, Redfield, Smith of Sonoma, and Whallon—4.

REPORTS.

Mr. Owen, Chairman of the Committee on Education, made the following report:

MR. SPEAKER:—The Committee on Education, to whom was referred Senate bill No. 418, which provides for an additional section to a certain Act, approved March twenty-fourth, eighteen hundred and sixty-four, defining the time when the same shall take effect, report the bill back to the House, and recommend its passage.

OWEN, Chairman.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report:

MR. SPEAKER:—The Committee on Claims, to whom was referred Senate bill No. 319, an Act to appropriate money to pay the claim of J. T. Hall, beg leave to report the bill back to the House without recommendation.

CAMPBELL of El Dorado, Chairman.

Mr. Walker of Alameda, Chairman of the Committee on Public Morals, made the following report:

MR. SPEAKER:—The Committee on Public Morals, to whom was referred Senate bill No. 251, an Act to prevent the sale of intoxicating liquors on certain days of election to be holden in this State, have considered the same, and report it back to the House, with a recommendation that it pass.

WALKER of Alameda, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

MR. SPEAKER :—Your Committee on Ways and Means, to whom was referred Senate bill No. 427, an Act for the relief of the General Fund of the State Treasury, have had the same under consideration, and respectfully ask leave to report it back, and recommend that it be passed ;

Also, Assembly bill No. 423, an Act to amend an Act entitled an Act to amend section eighty-two of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three, beg leave to report it back, and recommend its passage.

ALLEN, Chairman.

Mr. Hunt, Chairman of the Committee on Commerce and Navigation, made the following report :

MR. SPEAKER :—The Committee on Commerce and Navigation, to whom was referred Senate bill No. 310, an Act to repeal an Act for the protection of fisheries, approved April twenty-eighth, eighteen hundred and sixty, have had the same under consideration, report it back to the House, and recommend its passage.

HUNT, Chairman.

INTRODUCTION OF BILLS.

Bills were introduced as follows :

By Mr. Clark, for an Act defining the legal distances from the county seat of Lassen County to the State Capital, Lunatic Asylum, and State Prison.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Allen, for an Act in relation to Swamp Land District Funds.

Read first and second times, and placed on file.

UNFINISHED BUSINESS.

On motion of Mr. Kewen, the House took up unfinished business.

Senate bill No. 285, reported from Senate yesterday, (see Journal of yesterday.) having passed the Senate over the Governor's veto, the message of the Governor concerning the bill was read as follows :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, March 28th, 1864.

To the Senate of the State of California :

I herewith return, without my approval, Senate bill No. 285, an Act to amend an Act entitled an Act to grant the right to construct a wagon road in Tulare County, approved April twenty-seventh, eighteen hundred and sixty-three.

The Act of April twenty-seventh, eighteen hundred and sixty-three, granted to certain parties therein named the franchise for a toll road for the term of twenty years. The bill under consideration extends the franchise to twenty-five years, and also extends the time for the completion of the road.

Twenty years seems to have been settled upon as a maximum of time

for any toll road franchise, judging by the previous legislation on this subject, and I can see no good reason for extending it in this case.

FRED'K F. LOW,
Governor.

The Chair stated the question, "Shall the bill pass, notwithstanding the objections of the Governor?"

On which, the ayes and noes were called, and the bill was passed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Clark, Devoe, Dickinson, Dodson, Dow, Dutton, Fraser, Gray, Hartsough, Hill, Hoag, Hubbard, Jenison, Johnson, Kendrick, Kewen, Langdon, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rule, Sepulveda, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Walker of Alameda, Walker of Fresno, Watson, Weston, Wilcox, Wilsey, Winchester, Whallon, Wood, and Wright—52.

NOES—Messrs. Brooks, Castro, Cherry, Clayton, Erkson, Littlefield, Redfield, and Wason—8.

Senate bill No. 362, (reported yesterday,) was read first and second times, and referred to the Committee on Ways and Means.

Senate bill No. 122, (reported yesterday,) was read first and second times, and placed on file.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 29th, 1864. }

Mr. SPEAKER:—The Senate, yesterday, passed Senate bill No. 14, an Act to amend an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one, and the several Acts amendatory thereof and supplementary thereto;

Also, passed Senate bill No. 258, an Act supplementary to an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one;

Also, passed Senate bill No. 207, an Act to establish Pilots and pilot regulations for the Ports of San Francisco, Mare Island, and Benicia;

Also, on the twenty-eighth instant, passed Senate bill No. 305, an Act supplemental to and amendatory of the Act entitled an Act for the education and care of the indigent Deaf, Dumb, and Blind in the State of California, approved April eighteenth, eighteen hundred and sixty, and Acts amendatory, etc;

Also, yesterday, indefinitely postponed Assembly concurrent resolution No. 40, concerning the admission of material for the construction of telegraph lines, etc.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 29th, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 428, an Act in relation to the Board of Supervisors of the County of Butte, to define their powers and duties, and other matters relating thereto, and to reduce public expenses and taxation in said county ;

Also, adopted Senate concurrent resolution No. 31, relative to joint convention for election of Directors and Visiting Physician of the Insane Asylum.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 30th, 1864. }

Mr. SPEAKER :—The Senate yesterday amended and passed Assembly bill No. 330, an Act to improve the navigation of the Mokelumne River ;

Also, passed Assembly bill No. 381, an Act amendatory of and supplemental to an Act entitled an Act to provide for street railroads in the City and County of San Francisco ;

Also, passed Assembly bill No. 291, an Act to extend an Act concerning hogs found running at large in certain counties in this State ;

Also, passed Assembly bill No. 96, an Act to amend an Act concerning railroads in certain streets in the City and County of San Francisco ;

Also, amended and passed Assembly bill No. 261, an Act to provide for the construction of a macadamized road in the City and County of San Francisco ;

Also, passed Assembly bill No. 159, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by said Board ;

Also, passed Assembly bill No. 302, an Act to establish the lines and grades of streets in the City and County of San Francisco ;

Also, passed Assembly bill No. 222, an Act in relation to the water front adjacent to Block Number Nine in the City and County of San Francisco ;

Also, concurred in Assembly amendments to Senate bill No. 393, an Act for the relief of the State Agricultural Society ;

Also, concurred in Assembly amendment to Senate bill No. 169, an Act concerning assessments upon the stock of corporations ;

Also, concurred in Assembly amendments to Senate bill No. 287, an Act to fix the salary of the Clerk of the Board of Supervisors of the County of Sonoma ;

Also, concurred in Assembly amendments to Senate bill No. 290, an Act to fix the compensation of the Board of Supervisors of Sonoma County ;

Also, passed Senate bill No. 425, an Act to provide for the election of Supervisors in the County of Amador ;

Also, passed Senate bill No. 320, an Act to appropriate money to pay the claim of I. & S. Wormser ;

Also, passed Senate bill No. 370, an Act to fix the time of holding the District Court in the Second Judicial District.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 30th, 1864. }

MR. SPEAKER :—The Senate this day passed Senate bill No. 326, an Act in relation to proceedings in certain suits ;

Also, passed Senate bill No. 402, an Act to appropriate money for deficiency in appropriation for per diem and mileage of Senators for fifteenth fiscal year ;

Also, passed Assembly bill No. 367, an Act amendatory of an Act entitled an Act to reduce and establish the salaries of officers and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six ;

Also, on the twenty-ninth instant, passed Senate bill No. 413, an Act to amend an Act authorizing Calaveras County to subscribe fifty thousand dollars to the Carson Valley Turnpike Company ;

Also, same day, passed Senate bill No. 403, an Act to extend over the County of Nevada the provisions of the Act entitled an Act concerning lawful fences, approved April twenty-seventh, eighteen hundred and fifty-five ;

Also, passed Senate bill No. 430, an Act to authorize the County of Alameda to aid in the construction of the Alameda Valley Railroad Company, and the railroad of the Western Pacific Railroad Company, and to create a funded debt for the payment of the same ;

Also, this day, amended and passed Assembly bill No. 387, an Act to grant the right to construct a turnpike road between Forest Hill and Grasshopper Ranch, in the County of Placer.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 14, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 258, above reported, read first and second times, and ordered to General File.

Senate bill No. 207, above reported, read first and second times.

It was moved to place the bill at top of file for March thirty-first.

On which, the ayes and noes were demanded, by Messrs. Dodson, Campbell of San Francisco, and Martin, and the House refused by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Brown of Tulare, Campbell of El Dorado, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Fraser, Green, Hartsough, Hittell, Hoag, Hubbard, Kendrick, Kewen, Ludlow, Martin, Mebius, Pratt, Redfield, Rhoads, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, and Whallon—37.

NOES—Messrs. Alley, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Clark, Dodson, Erkson, Gray, Hill, Hunt, Hirst, Jenison, Johnson, Langdon, Littlefield, Lux, McColliam, Owen, Parker, Perley, Rule, Scott of Siskiyou, Sumner, Van Leuven, Van Schaick, Walker of Alameda, Watson, Weston, Wiley, Wood, and Wright—36.

The House concurred in Senate concurrent resolution No. 31, above reported.

Senate bill No. 305, above reported, read first and second times, and referred to the Committee on Hospitals, and ordered printed.

Senate bill No. 425, above reported, read first and second times, and ordered to file.

Senate bill No. 428, above reported, read first and second times, and referred to the Butte delegation.

The House concurred in Senate amendments to Assembly bill No. 330, above reported.

The House concurred in the first Senate amendment to Assembly bill No. 261, above reported, but refused to concur in the second.

Senate bill No. 420, above reported, read first and second times, and referred to the Committee on Claims.

Senate bill No. 430, above reported, read first and second times, and referred to the Alameda delegation.

Senate bill No. 413, before reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 370, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 403, above reported, read first and second times, rules suspended, read third time, and passed.

The House concurred in Senate amendments to Assembly bill No. 383, above reported.

Senate bill No. 432, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 326, above reported, read first and second times, and referred to the Judiciary Committee.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 412, an Act to authorize the formation of an association for the improvement of horses and neat cattle;

Also, Assembly bill No. 442, an Act to authorize Phineas Banning, his associates and assigns, to construct a watercourse from San Gabriel River to Camp Drum and the Town of Wilmington, in Los Angeles County.

And this thirtieth day of March, 1864, have delivered the same to the Governor for his approval.

REDFIELD, Chairman.

The rules were suspended to allow Mr. Wason to present a petition from residents of Benicia, relative to Pilots.

Referred to the Committee on Commerce and Navigation.

GENERAL FILE.

Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two—House refused to concur in Senate amendments.

Assembly bill No. 361, an Act amendatory of and supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to

levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two.

Mr. Allen moved to recommit the bill with special instructions.

Mr. Kewen moved a count of the House.

Ordered.

Forty-three members were present

Mr. Cherry moved a call of the House.

Ordered.

The following gentlemen were absent :

Messrs. Clark, Dow, Dutton, Dyer, Erkson, Hartsough, Hunt, Kendrick, Langdon, Ludlow, Lux, Lych, Mebius, Mitchell, Parker, Personette, Redfield, Rule, Scott of Alameda, Sumner, Tukey, Van Leuven, Van Schaick, Walker of Alameda, and Mr. Speaker.

Further proceedings under the call were dispensed with.

Assembly bill No. 361 was recommitted, with special instructions, to the Committee on Hospitals.

Assembly bill No. 421, an Act concerning the Insane of California.

Mr. Buffum moved to consider the bill in Committee of the Whole.

Lost

The bill under consideration was recommitted to the Committee on Hospitals.

Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence.

The amendments offered in Committee of the Whole, on a previous day, were adopted.

Mr. Wright moved to lay on the table.

Lost.

Mr. Owen offered an amendment to section fifty.

Adopted.

Mr. Kewen moved the indefinite postponement of the bill.

Mr. Whallon moved the previous question.

Sustained.

On which, the ayes and noes were demanded, by Messrs Redfield, Hubbard, and Smith of Nevada, and the House refused to indefinitely postpone the bill, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Chappell, Dickinson, Fraser, Hartsough, Hill, Huttell, Hoag, Hirst, Kendrick, Kewen, Langdon, Littlefield, Lux, Perley, Personette, Redfield, Scott of Siskiyou, Smith of Sonoma, Walker of Fresno, Watson, Wilcox, and Whallon—28.

NOES—Messrs. Alley, Boulware, Brooks, Brown of Amador, Clayton, Dodson, Dow, Dutton, Erkson, Green, Hubbard, Jenison, Ludlow, McColliam, Owen, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Teare, Van Schaick, Wason, Weston, Wilsey, Winchester, Wood, and Wright—31.

On ordering the bill engrossed and to third reading, the ayes and noes were demanded, by Messrs Scott of Siskiyou, Beaman, and Redfield, and the House so ordered, by the following vote :

AYES—Messrs. Alley, Beaman, Boulware, Brooks, Chappell, Cherry,

Clayton, Dodson, Dow, Dutton, Erkson, Green, Hubbard, Jenison, Johnson, Kewen, Ludlow, Lux, Martin, McColham, Owen, Perley, Perrin, Personette, Pratt, Rule, Scott of Alameda, Smith of Nevada, Sumner, Teare, Van Schaick, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, Whallon, Wood, and Wright—42.

NOES—Messrs. Allen, Badlam, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Devoe, Dickinson, Dyer, Fraser, Hartsough, Hill, Hittell, Hoag, Hirst, Kendrick, Langdon, Littlefield, Redfield, Rhoads, Scott of Siskiyou, Smith of Sonoma, Snyder, and Walker of Fresno—24.

Senate bill No. 230 was taken up.

Mr. Whallon moved to reconsider the vote whereby the previous bill was ordered engrossed.

Mr. Weston moved the previous question.

Sustained.

On which, Messrs. Dickinson, Devoe, and Hoag, demanded the ayes and noes, and the motion was lost, by the following vote:

AYES—Messrs. Badlam, Brown of Amador, Campbell of San Francisco, Clark, Dutton, Dyer, Hittell, Littlefield, Parker, Perley, Redfield, Snyder, Wilcox, and Whallon—15.

NOES—Messrs. Allen, Alley, Beaman, Bowman, Boulware, Brooks, Brown of Tulare, Buffum, Campbell of El Dorado, Chappell, Cherry, Clayton, Devoe, Dickinson, Dodson, Dow, Erkson, Fraser, Gray, Green, Hartsough, Hill, Hoag, Hubbard, Hirst, Johnson, Kendrick, Kewen, Langdon, Martin, McColham, Perrin, Personette, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Watson, Wilsey, Winchester, Wood, and Wright—50.

Senate bill No. 230, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one—recommitted to the Judiciary Committee.

Senate bill No. 167, an Act supplemental to an Act entitled an Act to authorize the formation of corporations to provide the members thereof with homesteads or lots of land suitable for homesteads, approved May twentieth, eighteen hundred and sixty-one—rules suspended, read third time, and passed.

Assembly bill No. 285, an Act concerning the office of Clerk of the Supreme Court.

The amendments reported were adopted.

Mr. Cherry moved the indefinite postponement of the bill.

The motion prevailed.

Assembly bill No. 239, an Act concerning roads and highways in certain counties of this State—substitute adopted, read first and second times, rules suspended, considered engrossed, read third time, passed, and Fifty-Eighth Rule suspended.

Assembly bill No. 388, an Act to authorize John S. Williams, his associates, and assigns, to construct floating dry docks, and the necessary breakwaters to protect the same, in the Harbor of San Francisco—indefinitely postponed.

Assembly bill No. 449, an Act to provide for the disposal of lots in the Town of Red Bluff—indefinitely postponed.

Assembly bill No. 440, an Act granting to certain parties the right to construct a macadamized road within the City and County of San Francisco—amended, rules suspended, considered engrossed, read third time, passed, and Fifty-Eighth Rule suspended.

A motion was made to suspend the rules for the introduction of the following resolution, by Mr. Watson, which was read for information :

Resolved, That the Committee on Ways and Means be and are hereby required to report immediately to this House, Senate bill No. 347, an Act to aid the construction of the Central Pacific Railroad, and to secure the same to this State for military and other purposes, and other matters relating thereto ; also, an Act to aid in the construction of the California portion of the Pacific Railroad from the City of San Francisco to the eastern boundary of the State, and to create a funded debt for the payment of the same.

Mr. Hittell raised the point of order that, inasmuch as the resolution changed the priority of business, debate thereon was out of order.

The Speaker decided the point of order not well taken.

Mr. Hittell appealed from the decision of the Chair.

The decision of the Chair was sustained.

Mr. Martin moved the previous question.

Sustained.

On suspending the rules, the ayes and noes were demanded, by Messrs. Devoe, Kewen, and Whallon, and the House refused to suspend the rules, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Chappell, Cherry, Clark, Clayton, Dodson, Dutton, Erkson, Gray, Green, Hartsoagh, Hubbard, Hunt, Jenison, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—47.

NOES—Messrs. Brown of Tulare, Campbell of San Francisco, Devoe, Dickinson, Dow, Dyer, Fraser, Hill, Hittell, Hoag, Hirst, Johnson, Kendrick, Kewen, McColliam, Mebius, Redfield, Scott of Siskiyou, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Fresno, Whallon, and Wright—25.

The rules were suspended for the following report, by Mr. Perrin :

MR. SPEAKER :—The Committee of Conference on the disagreeing vote of the two Houses on the Senate amendments to Assembly bill No. 329, an Act relating to the establishment of the eastern boundary of the State of California, after conferring together, unanimously recommend the following :

That the Senate recede from their amendments to strike out sections two and five of the bill, and that the following proviso to section five of the bill be adopted :

"*Provided*, The same shall not exceed the sum of one thousand dollars."

EVANS, Chairman.
CRANE,
BURNELL,
Senate Committee.
PERRIN, Chairman.
CLARK,
TUKEY,
House Committee.

Report adopted.

Accompanying the foregoing, was another report from the Committee on Ways and Means.

Mr. Teare objected to its reading.

Mr. Whallon raised the point of order that it could not be received.

The Speaker decided the point not well taken.

Mr. Whallon appealed from the decision of the Chair.

Mr. Buffum moved the previous question.

Sustained.

On which, the ayes and noes on the question "Shall the decision of the Chair stand as the judgment of the House?" were demanded, by Messrs. Wright, Kewen, and Teare, and the decision of the Chair was reversed, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Campbell of El Dorado, Chappell, Clayton, Dutton, Gray, Green, Hubbard, Hunt, Johnson, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Scott of Alameda, Snyder, Watson, Wiley, Wilsey, and Winchester—33.

NOES—Messrs. Alley, Brown of Tulare, Buffum, Campbell of San Francisco, Clark, Devoe, Dickinson, Dodson, Dow, Dyer, Erksen, Fraser, Hartsough, Hill, Hittell, Hoag, Jenison, Kendrick, Kewen, Langdon, Mebius, Redfield, Rule, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Tukey, Van Schaick, Walker of Alameda, Walker of Fresno, Wason, Weston, Wilcox, Whallon, Wood, and Wright—38.

Mr. Devoe moved to adjourn.

On which, Messrs. Beaman, Allen, and Wright, demanded the ayes and noes, which were taken, with the following result :

AYES—Messrs. Bowman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Devoe, Dickinson, Dow, Dyer, Erksen, Fraser, Hartsough, Hill, Hittell, Hoag, Hirst, Jenison, Kendrick, Kewen, McColliam, Mebius, Redfield, Rule, Scott of Siskiyou, Smith of Sonoma, Sumner, Teare, Tukey, Van Schaick, Wiley, Winchester, Whallon, and Wright—33.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brooks, Buffum, Chappell, Clark, Clayton, Dodson, Dutton, Gray, Green, Hubbard, Hunt, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Scott of Alameda, Smith of Nevada, Snyder, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, and Wood—38.

GENERAL FILE RESUMED.

Assembly bill No. 452, an Act to authorize the Sheriff of San Francisco County to appoint a Matron for the County Jail, and other matters relating thereto—amendments adopted, rules suspended, considered engrossed, read third time, and passed.

Assembly bill No. 441, an Act supplementary to an Act entitled an Act to provide for a railroad within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one—indefinitely postponed.

Assembly bill No. 451, an Act amendatory of an Act to authorize D. B. Northrup, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved April twenty-fourth, eighteen hundred and sixty-three—amended, rules suspended, considered engrossed, read third time, and passed.

At five o'clock and fifteen minutes P. M., on motion of Mr. Wright, the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Thursday, March 31st, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The rules were suspended for the introduction of the following resolution, offered by Mr. Lux:

Resolved, That the Committee on Military Affairs be requested immediately to report back to the House Senate bill No. 388, an Act amendatory of and supplementary to an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia, approved April twenty-fifth, eighteen hundred and sixty-three.

Withdrawn.

REPORTS.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 456, an Act to authorize the Board of Supervisors of Santa Clara County to sell and dispose of the stock of said county in the San Francisco and San José Railroad Company, and to protect its property in the same;

Also, Assembly bill No. 461, an Act defining the legal distances from

the county seat of Lassen County to the State Capital, Lunatic Asylum, and State Prison ;

Also, Assembly bill No. 423, an Act to amend an Act entitled an Act to amend section eighty-two of an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 459, an Act amendatory of an Act entitled an Act creating the office of Township Collectors and Assessors in the Counties of El Dorado and Amador, approved April twenty-fifth, eighteen hundred and sixty-two.

DYER, Chairman.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

MR. SPEAKER :—The Committee on Ways and Means, to whom was referred Senate bill No. 347, an Act to aid in the construction of the Central Pacific Railroad, and to secure the use of the same to this State for military and other purposes, and other matters relating thereto, have had the same under consideration, beg leave to report it back, and recommend its passage ;

Also, Senate bill No. 362, an Act to aid in the construction of the California portion of the Pacific Railroad from the City of San Francisco to the eastern boundary of the State, and to create a funded debt for the payment of the same, beg leave to report it back, and recommend its passage.

ALLEN, Chairman.

Mr. Snyder, Chairman of the Committee on Mines and Mining Interests, made the following report :

MR. SPEAKER :—Your Committee on Mines and Mining Interests, to whom was referred Senate bill No. 333, an Act to regulate metallurgic works and manufactories of acids, have had the same under consideration, and report it back, with a recommendation that it pass.

SNYDER, Chairman.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report :

MR. SPEAKER :—The Committee on Military Affairs, to whom was referred Senate bill No. 388, amendatory of the militia law, report the same back to the House, with the recommendation that it be indefinitely postponed.

WOOD, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 230, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one, have had the

same under consideration, beg leave to respectfully report it back with an amendment, and recommend its passage as amended ;

Also, Senate bill No. 271, an Act to legalize the assessments for taxes for the revenue years commencing on the first Monday of March, in the year A. D. eighteen hundred and sixty-two and A. D. eighteen hundred and sixty-three, in the several counties of this State, and recommend the passage of the same ;

Also, Senate bill No. 326, an Act in relation to proceedings in certain suits, and report the same back, with a recommendation of its passage.
CAMPBELL of San Francisco, Chairman.

Mr. Brown of Amador, from the Judiciary Committee, made the following report :

MR. SPEAKER:—The undersigned, a minority of your Judiciary Committee, begs leave to report in favor of the passage of Senate bill No. 230, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, one thousand eight hundred and fifty-one, without amendments.

The amendments proposed by the majority are : to strike out sections sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, and twenty-two, which the undersigned oppose, and recommend the passage of the bill as it came from the Senate.

BROWN of Amador.

RESOLUTIONS.

Mr. Weston offered the following resolution :

Resolved, That W. Plunkett is hereby allowed the sum of four dollars and fifty cents, for copying done for the Committee on Hospitals, and the Controller of State is hereby authorized and required to draw his warrant for the payment of the same on the Contingent Fund of the Assembly.

Mr. Owen moved to lay the resolution on the table.

Adopted.

Mr. Dodson offered a concurrent resolution relative to the purchase of two hundred and forty copies of the statutes of eighteen hundred and sixty-four.

Adopted.

Mr. Parker offered the following resolution :

Resolved, That when this House adjourns it adjourns to meet at seven o'clock P. M., this evening.

To which the following amendment was offered :

Provided, that Rule Seventy-Nine shall be applicable to all business of said session.

Mr. Watson moved the previous question.

Sustained.

On adopting the amendment, the ayes and noes were demanded, by Messrs. Whallon, Wilcox, and Dodson, and it was rejected, by the following vote :

AYES—Messrs. Brown of Tulare, Campbell of San Francisco, Castro, Devoe, Dickinson, Hill, Hittell, Hoag, Kendrick, Kewen, Littlefield, McColliam, Mebius, Personette, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Whallon, and Wright—23.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Chappell, Cherry, Clayton, Dodson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hartsough, Hubbard, Hirst, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Wilcox, Wiley, Wilsey, Winchester, and Wood—48.

The original resolution was then adopted by the following vote, the ayes and noes being demanded by Messrs. Whallon, Kewen, and Dutton :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Campbell of El Dorado, Cherry, Clayton, Dodson, Dutton, Dyer, Erkson, Gray, Green, Hartsough, Hubbard, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—44.

NOES—Messrs. Brown of Amador, Buffum, Campbell of San Francisco, Castro, Chappell, Devoe, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Kendrick, Kewen, Littlefield, McColliam, Mebius, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Whallon, and Wright—26.

Mr. Wilcox offered the following resolution :

Resolved, That the Committee on Commerce and Navigation be required to report Senate bill No. 207, relating to Pilots, to this House immediately.

Mr. Winchester moved the previous question.

Sustained.

On adopting the resolution, Messrs. Wilcox, Winchester, and Whallon demanded the ayes and noes, and it was adopted, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Campbell of El Dorado, Castro, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Erkson, Fraser, Green, Hartsough, Hubbard, Jenison, Kendrick, Kewen, Martin, Mebius, Owen, Perley, Perrin, Personette, Pratt, Redfield, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Wason, Weston, Wilcox, Wilsey, Winchester, Whallon, and Wright—43.

NOES—Messrs. Alley, Bowman, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Dodson, Hill, Hittell, Hoag, Hirst, Johnson, Langdon, Littlefield, Lux, McColliam, Parker, Rhoads, Rule, Scott of Siskiyou, Sumner, Walker of Alameda, Watson, and Wood—26.

In accordance with the foregoing resolution, Mr. Hunt reported back Senate bill No. 207, relating to Pilots.

Mr. Kewen offered the following resolution :

Resolved, That no bill of a general character shall be considered at the night session of the Legislature.

Laid on the table.

Mr. Rule offered the following resolution :

Resolved, That W. N. Slocum be authorized to assist in arranging the bills and papers of the Assembly at the close of the session, and for such service the Controller of State is hereby directed to draw a warrant on the Treasurer, in his favor, for fifty dollars, payable out of the Contingent Fund of the Assembly, on the certificate of the Secretary of State that the returns have been properly made.

Laid over until to-morrow, on motion of Mr. Campbell of San Francisco.

Mr. Dodson offered a concurrent resolution to allow Owen Curran two dollars per day extra pay for services as fireman to the Legislature.

Adopted.

Mr. Scott of Alameda made the following report :

MR. SPEAKER:—The Alameda delegation, to whom was referred Assembly bill No. 430, report it back, and recommend the passage of the same.

SCOTT of Alameda, for Delegation.

The bill above reported was taken up, rules suspended, read third time, and passed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
March 30th, 1864. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate, this day, passed Senate bill No. 392, an Act conferring certain powers on the Board of Supervisors of Placer County, with amendments;

Also, this day, amended and passed Senate bill No. 359, an Act to amend section three hundred and forty-three of the Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one;

Also, this day, refused to pass Assembly bills Nos. 247 and 234 over the Governor's vetoes;

Also, this day, passed Senate bill No. 433, an Act to continue the powers and provisions of an Act to authorize the Commissioners of the Funded Debt of the City of San Francisco to compromise and settle claims to real estate pursuant thereto, approved April fourteenth, eighteen hundred and sixty-two;

Also, this day, amended and passed Senate bill No. 395, an Act supplemental to an Act entitled an Act to prevent the destruction of timber

on Public Lands of this State, approved March second, eighteen hundred and sixty-four.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 30th, 1864. }

Mr. SPEAKER:—The Senate, this day, amended and passed Assembly bill No. 176, an Act making appropriations for the support of the government for the fiscal years commencing on the first day of July, eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hundred and sixty-six;

Also, adopted the report of the Committee of Free Conference appointed on the disagreeing vote of the two Houses on Senate amendment to Assembly bill No. 329, an Act relating to the eastern boundary of the State. The Senate receded from its amendment striking out sections two and five, adding the following: "*Provided*, the same shall not exceed the sum of one thousand dollars."

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 30th, 1864. }

Mr. SPEAKER:—The Senate, on yesterday, passed Senate bill No. 421, an Act to authorize the Fast Freight and Express Company to change its principal place of business;

Also, same day, passed Senate bill No. 353, an Act supplementary to an Act to amend an Act concerning Notaries Public, passed April twenty-fifth, eighteen hundred and sixty-two.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 30th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Assembly bill No. 397, an Act to provide for the construction of additional cells at the State Prison.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 31st, 1864. }

Mr. SPEAKER:—The Senate, on yesterday, passed Senate bill No. 399, an Act making the County Clerk of Colusa County ex officio Recorder and Auditor, and fixing his compensation;

Also, passed Senate bill No. 371, an Act to confer certain powers on the Board of Supervisors of Santa Clara and San Mateo Counties, and the City and County of San Francisco, in relation to the interest and stock held by said counties and city in the San Francisco and San José Railroad;

Also, passed Senate bill No. 411, an Act to authorize the Board of Supervisors of Calaveras County to take and subscribe twenty thousand dollars to the capital stock of the Campo Seco and Mokelumne Hill Turnpike Company;

Also, amended and passed Senate bill No. 394, an Act to confer further

powers upon the Governor of this State in relation to the pardon of criminals;

Also, passed Senate bill No. 266, an Act to authorize corporations organized in this State for the purpose of mining in or without this State to establish and maintain transfer agencies in other States;

Also, passed Senate bill No. 436, an Act amendatory of and supplementary to an Act entitled an Act to regulate the fees of officers in the County of Alameda;

Also, passed Senate bill No. 435, an Act to authorize the Board of Supervisors of the County of El Dorado to subscribe one hundred thousand dollars in addition to the amount heretofore subscribed to the stock of the Placerville and Sacramento Valley Railroad Company;

Also, passed Senate concurrent resolution No. 32, relative to acceptance of benefits of an Act of Congress donating lands to the States and Territories;

Also, amended and passed Senate bill No. 339, an Act regulating the assessment and taxation of railroads and other roads, for revenue purposes, and other matters relating thereto;

Also, passed Senate bill No. 434, an Act to amend an Act entitled an Act to re-incorporate the City of Placerville, approved April sixth, eighteen hundred and sixty-four;

Also, passed Senate bill No. 276, an Act to create the office of State Geologist, and to define the duties thereof;

Also, passed Senate bill No. 402, an Act providing for the time of holding the District Court in Merced County;

Also, passed Assembly bill No. 104, an Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three;

Also, passed Assembly bill No. 409, an Act concerning fences in Tuolumne County;

Also, receded from its amendment to Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties;

Also, passed Senate bill No. 412, an Act in relation to Swamp Land Funds.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

Senate bill No. 176, above reported, read first and second times, and ordered to General File.

Senate bill No. 266, above reported, read first and second times, and ordered to General File.

Senate bill No. 339, above reported, read first and second times, and ordered to General File.

Senate bill No. 395, above reported, read first and second times, and ordered to General File.

Senate bill No. 396, above reported, read first and second times, and ordered to General File.

Senate bill No. 433, above reported, read first and second times, and ordered to General File.

The House concurred in Senate concurrent resolution No. 32, above reported.

Senate bill No. 353, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 371, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 392, above reported, read first and second times, rules suspended, read third time, and passed.

At eleven o'clock and fifty-five minutes A. M., the House took a recess.

IN JOINT CONVENTION.

At twelve o'clock M., the Senate and Assembly met in Joint Convention for the purpose intended by Senate concurrent resolution No. 31, to elect three Directors and one Visiting Physician for the Insane Asylum at Stockton.

The Honorable T. N. Machin, President of the Senate, and Honorable W. H. Sears, Speaker of the Assembly, presiding.

The roll of the Senate was called, and all were present except Messrs. Rush and Tuttle.

The roll of the Assembly was called, and the following gentlemen were absent: Messrs. Hubbard, Scott and Walker of Alameda, Van Leuven, Van Schaick, Lynch, and Mitchell.

The joint resolution was read, and the following nominations made :

FOR DIRECTORS OF THE INSANE ASYLUM.

Nominations for three Directors now being in order :

Mr. Dodson nominated E. S. Holden.

Mr. Hale nominated Austin Sperry.

Mr. Meyers nominated J. G. Gassman.

There being no further nominations, the roll was called, with the following result :

| Names. | Holden. | Sperry. | Gassman. |
|-----------------|---------|---------|----------|
| Benton | 1 | 1 | 1 |
| Buckley.... | 1 | 1 | 1 |
| Burnell | 1 | 1 | 1 |
| Cot..... | 1 | 1 | 1 |
| Crane | 1 | 1 | 1 |
| Cunningham..... | 1 | 1 | 1 |
| Dodge | 1 | 1 | 1 |
| Evans | 1 | 1 | 1 |
| Foulke..... | 1 | 1 | 1 |
| Freeman | 1 | 1 | 1 |
| Gaskill..... | 1 | 1 | 1 |
| Hale | 1 | 1 | 1 |
| Hall | 1 | 1 | 1 |
| Hamilton | 1 | 1 | 1 |
| Hartson | 1 | 1 | 1 |
| Haswell | 1 | 1 | 1 |
| Henry | 1 | 1 | 1 |
| Haskin..... | 1 | 1 | 1 |
| Jones..... | 1 | 1 | 1 |

| Names. | Holden. | Sperry. | Gassman. |
|---------------------------------|---------|---------|----------|
| Kutz | 1 | 1 | 1 |
| Maddox..... | 1 | 1 | 1 |
| McMurtry | 1 | 1 | 1 |
| Meyers | 1 | 1 | 1 |
| Montgomery..... | 1 | 1 | 1 |
| Moyle | 1 | 1 | 1 |
| Pierce..... | 1 | 1 | 1 |
| Porter | 1 | 1 | 1 |
| Redington | 1 | 1 | 1 |
| Roberts..... | 1 | 1 | 1 |
| Shafter | 1 | 1 | 1 |
| Shepard | 1 | 1 | 1 |
| Smith | 1 | 1 | 1 |
| Wright | 1 | 1 | 1 |
| Yule..... | 1 | 1 | 1 |
| Allen | 1 | 1 | 1 |
| Alley | 1 | 1 | 1 |
| Badlam..... | 1 | 1 | 1 |
| Beaman..... | 1 | 1 | 1 |
| Bowman | 1 | 1 | 1 |
| Boulware | 1 | 1 | 1 |
| Brooks.. .. | 1 | 1 | 1 |
| Brown of Amador.... | 1 | 1 | 1 |
| Brown of Tulare | 1 | 1 | 1 |
| Buffum | 1 | 1 | 1 |
| Campbell of El Dorado | 1 | 1 | 1 |
| Campbell of San Francisco | 1 | 1 | 1 |
| Castro | 1 | 1 | 1 |
| Chappell | 1 | 1 | 1 |
| Cherry..... | 1 | 1 | 1 |
| Clayton..... | 1 | 1 | 1 |
| Devoe..... | 1 | 1 | 1 |
| Dickinson | 1 | 1 | 1 |
| Dodson | 1 | 1 | 1 |
| Dow..... | 1 | 1 | 1 |
| Dutton | 1 | 1 | 1 |
| Dyer | 1 | 1 | 1 |
| Erkson | 1 | 1 | 1 |
| Fraser..... | 1 | 1 | 1 |
| Gray | 1 | 1 | 1 |
| Green | 1 | 1 | 1 |
| Hartsough..... | 1 | 1 | 1 |
| Hill | 1 | 1 | 1 |
| Hittell..... | 1 | 1 | 1 |
| Hoag..... | 1 | 1 | 1 |
| Hubbard | 1 | 1 | 1 |
| Hunt | 1 | 1 | 1 |
| Hurst | 1 | 1 | 1 |
| Jenison | 1 | 1 | 1 |
| Johnson | 1 | 1 | 1 |
| Kendrick | 1 | 1 | 1 |

| Names. | Holden. | Sperry | Gassman. |
|-------------------------|---------|--------|----------|
| Kewen..... | 1 | 1 | 1 |
| Langdon | 1 | 1 | 1 |
| Littlefield..... | 1 | 1 | 1 |
| Ludlow..... | 1 | 1 | 1 |
| Lux | 1 | 1 | 1 |
| Martin..... | 1 | 1 | 1 |
| McColliam..... | 1 | 1 | 1 |
| Mebius..... | 1 | 1 | 1 |
| Owen..... | 1 | 1 | 1 |
| Parker..... | 1 | 1 | 1 |
| Perley | 1 | 1 | 1 |
| Perrin..... | 1 | 1 | 1 |
| Personette..... | 1 | 1 | 1 |
| Pratt | 1 | 1 | 1 |
| Redfield..... | 1 | 1 | 1 |
| Rhoads | 1 | 1 | 1 |
| Rule..... | 1 | 1 | 1 |
| Scott of Siskiyou | 1 | 1 | 1 |
| Sepulveda..... | 1 | 1 | ..... |
| Smith of Nevada | 1 | 1 | 1 |
| Smith of Sonoma | 1 | 1 | 1 |
| Snyder | 1 | 1 | 1 |
| Sumner..... | 1 | 1 | 1 |
| Teare..... | 1 | 1 | 1 |
| Tukey | 1 | 1 | 1 |
| Walker of Alameda..... | 1 | 1 | 1 |
| Walker of Fresno..... | 1 | 1 | 1 |
| Wason | 1 | 1 | 1 |
| Watson | 1 | 1 | 1 |
| Weston | 1 | 1 | 1 |
| Wilcox..... | 1 | 1 | 1 |
| Wilsey | 1 | 1 | 1 |
| Winchester | 1 | 1 | 1 |
| Whallon | 1 | 1 | ..... |
| Wood..... | 1 | 1 | 1 |
| Wright | 1 | 1 | 1 |
| Mr. Speaker..... | 1 | 1 | 1 |
| Totals..... | 106 | 106 | 104 |

Whole number of votes cast, one hundred and six.

Necessary to a choice, fifty-four.

Mr. Holden received one hundred and six votes.

Mr. Sperry received one hundred and six votes.

Mr. Gassman received one hundred and four votes.

Messrs. Sepulveda, Sears, and Whallon voted for W. H. Lyons.

Messrs. Austin Sperry, E. S. Holden, and J. G. Gassman, having received a majority of all the votes cast, were declared duly elected Directors of the State Insane Asylum.

Senator Hale moved that the Convention adjourn

Lost.

FOR VISITING PHYSICIAN OF INSANE ASYLUM.

Nominations for Visiting Physician now being in order :

Mr. Lux nominated R. M. Lampson.

Mr. Weston nominated Lorenzo Hubbard.

Mr. Hale moved that the Convention now adjourn sine die.

The motion was lost.

The roll was then called, with the following result :

| Names. | Lampson. | Hubbard. |
|----------------------|----------|----------|
| Benton | 1 | ..... |
| Buckley..... | ..... | 1 |
| Burnell..... | 1 | ..... |
| Cot..... | ..... | 1 |
| Crane..... | 1 | ..... |
| Cunningham. .... | ..... | 1 |
| Dodge..... | ..... | 1 |
| Evans..... | 1 | ..... |
| Foulke..... | ..... | 1 |
| Freeman | 1 | ..... |
| Gaskill..... | ..... | 1 |
| Hale ..... | ..... | 1 |
| Hall ..... | ..... | 1 |
| Hamilton..... | 1 | ..... |
| Haswell..... | ..... | 1 |
| Henry..... | ..... | 1 |
| Haskin..... | 1 | ..... |
| Kutz ..... | ..... | 1 |
| Maddox..... | ..... | 1 |
| McMurtry..... | ..... | 1 |
| Meyers..... | 1 | ..... |
| Montgomery..... | 1 | ..... |
| Moyle..... | ..... | 1 |
| Pierce..... | 1 | ..... |
| Porter..... | ..... | 1 |
| Redington..... | ..... | 1 |
| Roberts..... | ..... | 1 |
| Shafter..... | ..... | 1 |
| Shepard..... | 1 | ..... |
| Smith..... | ..... | 1 |
| Wright..... | ..... | 1 |
| Yule..... | 1 | ..... |
| Allen..... | 1 | ..... |
| Alley..... | ..... | 1 |
| Badlam..... | ..... | 1 |
| Beaman..... | ..... | 1 |
| Bowman..... | ..... | 1 |
| Boulware..... | ..... | 1 |
| Brooks..... | ..... | 1 |
| Brown of Amador..... | 1 | ..... |
| Brown of Tulare..... | 1 | ..... |
| Buffum | 1 | ..... |

| Names. | Lampson. | Hubbard. |
|---------------------------------|----------|----------|
| Campbell of El Dorado..... | 1 | ..... |
| Campbell of San Francisco ..... | ..... | 1 |
| Castro..... | ..... | 1 |
| Chappell..... | 1 | ..... |
| Cherry ..... | ..... | 1 |
| Devoe..... | 1 | ..... |
| Dickinson.. | 1 | ..... |
| Dodson..... | 1 | ..... |
| Dow ..... | ..... | 1 |
| Dutton..... | ..... | 1 |
| Dyer..... | 1 | ..... |
| Erkson..... | ..... | 1 |
| Fraser | 1 | ..... |
| Gray..... | ..... | 1 |
| Green. | 1 | ..... |
| Hartsough..... | 1 | ..... |
| Hill..... | ..... | 1 |
| Hittell ..... | ..... | 1 |
| Hoag.. | 1 | ..... |
| Hunt..... | ..... | 1 |
| Hirst..... | 1 | ..... |
| Jenison..... | ..... | 1 |
| Johnson..... | ..... | 1 |
| Kendrick..... | 1 | ..... |
| Kewen | 1 | ..... |
| Langdon | 1 | ..... |
| Littlefield. | 1 | ..... |
| Ludlow..... | ..... | 1 |
| Lux..... | 1 | ..... |
| Martin..... | ..... | 1 |
| McColliam..... | ..... | 1 |
| Mebius | 1 | ..... |
| Owen..... | ..... | 1 |
| Parker | 1 | ..... |
| Perley..... | 1 | ..... |
| Perrin | 1 | ..... |
| Personette. .... | ..... | 1 |
| Pratt..... | ..... | 1 |
| Redfield..... | ..... | 1 |
| Rhoads..... | ..... | 1 |
| Rule ..... | ..... | 1 |
| Scott of Alameda..... | 1 | ..... |
| Scott of Siskiyou. .... | ..... | 1 |
| Sepulveda..... | 1 | ..... |
| Smith of Nevada..... | ..... | 1 |
| Smith of Sonoma..... | 1 | ..... |
| Snyder..... | ..... | 1 |
| Sumner..... | 1 | ..... |
| Tearc..... | ..... | 1 |

| Names. | Lampson. | Hubbard. |
|-------------------------|----------|----------|
| Tukey | 1 | ..... |
| Walker of Alameda ..... | ..... | 1 |
| Walker of Fresno..... | 1 | ..... |
| Wason..... | ..... | 1 |
| Watson..... | 1 | ..... |
| Weston.. ..... | ..... | 1 |
| Wilcox..... | 1 | ..... |
| Wiley. | 1 | ..... |
| Wilsey..... | ..... | 1 |
| Winchester | 1 | ..... |
| Whallon..... | ..... | 1 |
| Wood..... | ..... | 1 |
| Mr. Speaker..... | ..... | 1 |
| Totals..... | 46 | 58 |

Whole number of votes cast.....104
Necessary to a choice..... 53
Mr. Hubbard received 58
Mr. Lampson received 46

Mr. Hubbard, having received a majority of all the votes cast, was declared duly elected a member of the Board of Visiting Physicians of the State Insane Asylum.

The object of the Convention having been accomplished, the President declared the Convention adjourned sine die.

IN ASSEMBLY.

Roll called.

Quorum present.

The House resumed the

CONSIDERATION OF SENATE MESSAGE.

Senate bill No. 402, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 411, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 399, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 412, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 431, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 434, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 435, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 436, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 437, above reported, read first and second times, rules suspended, read third time, and passed.

ADDITIONAL REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 237, an Act to divide the County of Placer into Supervisor and Revenue Districts, and to provide for the election of Supervisors, Assessors, and Tax Collectors therein, and other matters connected therewith;

Also, Assembly bill No. 322, an Act to provide for taking the State census;

Also, Assembly bill No. 222, an Act in relation to the water front adjacent to Block Number Nine in the City and County of San Francisco;

Also, Assembly bill No. 330, an Act to improve the navigation of the Mokelumne River;

Also, Assembly bill No. 381, an Act amendatory of and supplementary to an Act entitled an Act to provide for street railroads in the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and to other similar bills, severally approved April seventeenth, eighteen hundred and sixty-one, and March twenty-eighth, eighteen hundred and sixty-three;

Also, Assembly bill No. 291, an Act to extend an Act concerning hogs found running at large in certain counties in this State.

And this thirty-first day of March, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

Mr. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 451, an Act amendatory of an Act to authorize D. B. Northrup, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved April twenty fourth, eighteen hundred and sixty-three;

Also, Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence.

DYER, Chairman.

Mr. Wilcox gave notice of a motion, to be made to-morrow, to expunge Rule Number Seventy-Nine of the Standing Rules of the Assembly.

INTRODUCTION OF BILLS.

Bills were introduced as follows:

By Mr. Wright, for an Act to provide for the saving and transfer of

causes pending in the District Courts in and for the County of Contra Costa.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Snyder, for an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer.

Read first and second times, rules suspended, considered engrossed, read third time, and passed.

By Mr. Chappell, for an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

Read first and second times, rules suspended, and considered engrossed.

Mr. Snyder moved the previous question.

Sustained.

On the passage of the bill, the ayes and noes were demanded, and taken, with the following result :

AYES—Messrs. Allen, Beaman, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Dodson, Dow, Dutton, Fraser, Hill, Hittell, Hirst, Jenison, Johnson, Kendrick, Littlefield, Ludlow, Lux, Martin, McColliam, Mebius, Owen, Parker, Perley, Perrin, Personette, Redfield, Rhoads, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Watson, Weston, Wiley, Wilsey, and Winchester—43.

NOES—Messrs. Allen, Bowman, Boulware, Brown of Amador, Langdon, Sepulveda, Walker of Fresno, Whallon, Wood, and Wright—10.

Mr. Chappell moved to suspend Rule Number Fifty-Eight of the Standing Rules to transmit the bill to the Senate.

Mr. Wright moved to suspend, also, for the benefit of Assembly bill No. 465.

Mr. Martin moved the previous question.

Sustained.

On the question of suspension, the ayes and noes were demanded, by Messrs. Brown of Amador, Sumner, and Redfield, and the motion prevailed, by the following vote :

AYES—Messrs. Badlam, Beaman, Bowman, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Devoe, Fraser, Hirst, Jenison, Johnson, Kendrick, Kewen, Ludlow, Lux, Martin, McColliam, Parker, Perley, Perrin, Rhoads, Sepulveda, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda, Watson, Weston, Wilcox, Wiley, and Wright—33.

NOES—Messrs. Boulware, Brown of Amador, Brown of Tulare, Dutton, Gray, Hartsough, Hittell, Hunt, Langdon, Littlefield, Redfield, Scott of Alameda, Snyder, Walker of Fresno, and Whallon—15.

Mr. Allen, Chairman of the Committee on Ways and Means, made the following report :

Mr. SPEAKER :—Your Committee on Ways and Means, to whom was referred Senate bill No. 21, an Act to amend an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three, have had the same under consideration, and beg leave to report it back, and recommend its passage.

ALLEN, Chairman

GENERAL FILE.

Senate bill No. 348, an Act to create the County of Coso, to define its boundaries, and to provide for its organization—rules suspended, read third time, and passed.

Assembly bill No. 437, an Act for the relief of Mathew Mullen and others—considered in Committee of the Whole, (Mr. Rule in the Chair,) and amended.

IN ASSEMBLY.

Reported without recommendation.

The amendments were adopted by the House.

A motion of Mr. Sumner, to indefinitely postpone the bill was lost, by the following vote, the ayes and noes being demanded by Messrs. Brown of Amador, Fraser, and Wason :

AYES—Messrs. Allen, Beaman, Buffum, Clayton, Devoe, Dutton, Hill, Ludlow, McColliam, Scott of Alameda, Smith of Sonoma, and Sumner—11.

NOES—Messrs. Boulware, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Dickinson, Dodson, Dow, Fraser, Hittell, Hubbard, Hunt, Hirst, Kendrick, Martin, Perley, Perrin, Personette, Pratt, Redfield, Rhoads, Scott of Siskiyou, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wilsey, and Wright—31.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Boulware, Buffum, and Lux, and the bill passed, by the following vote :

AYES—Messrs. Boulware, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Dickinson, Dodson, Dow, Erksen, Fraser, Hartsough, Hoag, Hubbard, Hunt, Johnson, Kendrick, Langdon, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Sepulveda, Smith of Nevada, Snyder, Walker of Alameda, Walker of Fresno, Wason, Weston, Wilcox, and Wilsey—34.

NOES—Messrs. Alley, Beaman, Bowman, Buffum, Devoe, Dutton, Gray, Hill, Hittell, Ludlow, Smith of Sonoma, Sumner, Teare, Watson, and Wiley—15.

Senate bill No 389, an Act granting bounties to volunteers of this State enlisted in the service of the United States, for issuing bonds to provide funds for the payment of the same, and to levy a tax to pay such bonds—considered in Committee of the Whole, (Mr. Dow in the Chair.)

IN ASSEMBLY.

Reported and recommended, and the rules suspended.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Campbell of San Francisco, Cherry, and Watson, and the bill passed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Castro, Chappell,

Hartsough, Hubbard, Hunt, Hirst, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, and Wood—53.

NOES—Messrs. Brown of Tulare, Dickinson, Hittell, Hoag, Kendrick, Redfield, Sepulveda, and Smith of Sonoma—8.

The Speaker announced the appointment of the following committee to examine the amount of copying necessary to be done after the adjournment: Messrs. Badlam, Allen, and Fraser.

Mr. Buffum, Chairman of the Committee on Hospitals, made the following report:

MR. SPEAKER:—Your Committee on Hospitals, to whom was referred Senate bill No. 305, concerning the Deaf, Dumb, and Blind Asylum, have had the same under consideration, and report it back without recommendation;

Also, Assembly bill No. 361, an Act concerning the Insane Asylum, and report the same back without recommendation;

Also, Assembly bill No. 421, an Act concerning the insane of California, and report the same back without recommendation.

BUFFUM, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report:

MR. SPEAKER:—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 452, an Act to authorize the Sheriff of San Francisco County to appoint a Matron for the County Jail, and other matters relating thereto.

DYER, Chairman.

The rules were suspended for the following resolution offered by Mr. Dodson:

Resolved, That the Joint Committee, to whom was referred the resolution authorizing an investigation into the cause of the burning of the battery on the night of March the fourteenth, instant, be and are hereby instructed to report immediately.

Adopted.

In accordance with the foregoing resolution, the following report and resolution were offered by Mr. Hunt:

MR. SPEAKER:—The Joint Committee of the Senate and Assembly appointed to inquire into the cause of the destruction of a battery of seven guns by fire, on the evening of March fourteenth, in the City of Sacramento, beg leave to report as follows:

First—They find that the Adjutant-General, W. C. Kibbe, was informed on the twenty-fifth of February, by Captain McAllister, in charge of the United States Arsenal at Benicia, that he was prepared to issue seven pieces of artillery, with caissons and equipments, and that the next day, February twenty-sixth, General Kibbe presented a request or requisition

McAllister for the issuance of the same to the State of California. In a letter from Captain McAllister to Colonel Drum, dated March seventeenth, eighteen hundred and sixty-four, handed to the committee by General Wright, he says:

"I received the order for the issue from the Commanding General on February second, eighteen hundred and sixty-four. My letter advising General Kibbe of the fact, and stating that I was ready to make the issue, was dated February twenty-fifth, eighteen hundred and sixty-four. General Kibbe's requisition for the stores was dated February twenty-sixth, and was received on the second instant. The issue was unavoidably delayed until the eleventh instant, so that General Kibbe was expecting the stores some eight days."

On the twelfth of March the stores arrived in Sacramento—General Kibbe says, "unexpectedly."

Second—The committee find that Governor Low had expressly stated to the Adjutant-General that he did not wish the guns and stores brought to this place at all, for two reasons: 1st—They would not be safe here; and 2d—They would not be as near the places for which they were part of them destined, viz: San José and Stockton. And that the said requisition was made without the order or even knowledge of the Commander-in-Chief.

Third—That when they arrived here the guns and caissons were put into a building without proper fastenings, (one door being tied with a hay rope, and very easily pulled open,) and that no inquiry was made into the character and sentiments of the man who had the custody of the keys and care of the building; that no guard or watch was put over the property.

Fourth—The man who had the lease of the building, and of whom General Kibbe rented, who had the care and custody of it after the guns were stored there, is a well known Secessionist.

Fifth—This man (R. L. Robertson) had not more than seven or eight tons of hay of his own in the building; that in all there were not more than thirty or forty tons; that Robertson was insured for eight hundred dollars.

Sixth—That after the fire was discovered a portion of the guns might have been saved, had not Robertson stated that he did not know but there was powder in the building, thus frightening the people away.

Seventh—The committee have no doubt but that the fire was the work of some Secessionist, kindled by pouring camphene on the gun carriages, with hay thrown over them, and perhaps also on the roof of the building.

In conclusion, your committee think that General Kibbe erred in ordering or allowing the guns to have been brought to this city at all; that he was negligent in not looking more closely at the security of the doors of the building in which he stored the battery; that he is to be blamed for not knowing the sentiments of the man Robertson, of whom he hired the building; that he erred in not having put a guard over the guns day and night.

The committee also recommend the adoption of the accompanying resolution.

All of which is respectfully submitted.

HUNT,
WOOD,
SMITH,
BENTON.

SACRAMENTO, }
March 30th, 1864. }

STATE OF CALIFORNIA,

To John Hemsley, Sergeant-at-Arms, Senate, DR.

| Name. | Amount. |
|--|---------|
| For summoning George Brier..... | \$2 00 |
| For summoning Joshua Baker..... | 2 00 |
| For summoning John Nelson..... | 2 00 |
| For summoning William Neely..... | 2 00 |
| For summoning — McGraw..... | 2 00 |
| For summoning O. Cronkite..... | 2 00 |
| For summoning John Skelton..... | 2 00 |
| For summoning — Kelly..... | 2 00 |
| For summoning Honorable W. S. Montgomery | 2 00 |
| For summoning D. E. Callahan..... | 2 00 |
| For summoning Captain Lyons | 2 00 |
| For summoning H. G. Smith..... | 2 00 |
| Mileage on above, at twenty cents each..... | 2 40 |
| Total | \$26 40 |

The above service was rendered in the case of the inquiry concerning destruction of ordnance by fire at Sacramento, on Monday night, March fourteenth, eighteen hundred and sixty-four

JOHN HEMSLEY, Sergeant-at-Arms, Senate,

SACRAMENTO, }
March 30th, 1864. }

STATE OF CALIFORNIA,

To William M. Rider, Sergeant-at-Arms, Assembly, DR.

| Name. | Amount. |
|--|---------|
| For summoning John Schade..... | \$2 00 |
| For summoning F. Malone..... | 2 00 |
| For summoning B. Cahoon | 2 00 |
| For summoning William Siddons..... | 2 00 |
| For summoning R. L. Robertson..... | 2 00 |
| For summoning Joshua Baker..... | 2 00 |
| For summoning Frederick Walters | 2 00 |
| For summoning Robert Robertson..... | 2 00 |
| For summoning Edward Robertson..... | 2 00 |
| For summoning Mr. Holmes | 2 00 |
| For summoning John Francis..... | 2 00 |
| For summoning George A. Beaty..... | 2 00 |
| For summoning Frank Meckfessel..... | 2 00 |
| For summoning Doctor Caples..... | 2 00 |
| For summoning Brigadier-General George Wright..... | 2 00 |

| Names. | Amount. |
|--|---------|
| For summoning John Schade..... | 2 00 |
| For summoning Mr. Milan..... | 2 00 |
| For summoning Mr. Atchins..... | 2 00 |
| For summoning Mr. Lang..... | 2 00 |
| For summoning A. W. Bishop..... | 2 00 |
| For summoning William Richards..... | 2 00 |
| For summoning C. L. Knowles..... | 2 00 |
| For summoning Mr. Schmeiser..... | 2 00 |
| Mileage on above, twenty cents each..... | 4 60 |
| Total..... | \$50 60 |

The above service was rendered in the case of the inquiry concerning the destruction of ordnance by fire at Sacramento, on Monday night, March fourteenth, eighteen hundred and sixty-four.

WILLIAM M. RIDER, Sergeant-at-Arms, Assembly.

Resolved, By the Assembly, the Senate concurring, that Amos Bowman and A. J. Marsh be and are hereby allowed seventy-five dollars each, and that William M. Rider be allowed fifty dollars and sixty cents, and John Hemsley be allowed twenty-six dollars and forty cents, to be paid one half out of the Contingent Fund of the Assembly, and one half out of the Contingent Fund of the Senate.

Adopted.

[The committee also reported the testimony given before them, for which see Appendix.]

Mr. Weston, from the Committee on Hospitals, made the following report:

MR. SPEAKER:—The Committee on Hospitals, to whom was referred Assembly bill No. 361, an Act amendatory of and supplementary to an Act entitled an Act concerning the Insane Asylum, and to levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two, with special instructions, having considered the same, report it back, and recommend its passage after being thus amended.

WESTON,
HUBBARD,
GRAY,
DODSON.

GENERAL FILE RESUMED.

Senate bill No. 251, an Act to prevent the sale of intoxicating liquors on certain days of election to be held in this State.

Mr. Wiley offered the following amendment: Amend section one, by adding after the word "election," the words "Fourth of July, Christmas, New Year's, and St. Patrick's Day."

On adopting the amendment, the ayes and noes were demanded, by

Messrs. Scott of Alameda, Wiley, and Winchester, and it was rejected, by the following vote :

AYES—Messrs. Beaman, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Dodson, Green, Hill, Hittell, Hoag, Kewen, Langdon, Lux, Martin, Parker, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Weston, Wilcox, Wiley, and Wilsey—27.

NOES—Messrs. Allen, Alley, Badlam, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Cherry, Clayton, Dow, Dutton, Erkson, Fraser, Gray, Hartsough, Hubbard, Hunt, Hirst, Jenison, Johnson, Kendrick, Littlefield, Ludlow, McColliam, Owen, Perley, Perrin, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Walker of Alameda, Wason, Winchester, and Wood—40.

Mr. Martin moved to indefinitely postpone the bill.

On which, the ayes and noes were demanded, by Messrs. Winchester, Ludlow, and Scott of Alameda, and the House so ordered, by the following vote :

AYES—Messrs. Alley, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Dickinson, Dodson, Fraser, Green, Hill, Hittell, Hoag, Jenison, Kewen, Langdon, Lux, Martin, Parker, Personette, Pratt, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Walker of Fresno, Weston, Wilcox, Wiley, Wilsey, Whallon, and Wright—35.

NOES—Messrs. Allen, Badlam, Boulware, Brooks, Buffum, Cherry, Clayton, Devoe, Dow, Dutton, Erkson, Hartsough, Hubbard, Hirst, Johnson, Kendrick, Littlefield, Ludlow, McColliam, Owen, Perley, Perrin, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Sumner, Walker of Alameda, Wason, and Winchester—31.

Senate bill No. 310, an Act to repeal an Act for the protection of fisheries, approved April twenty-eighth, eighteen hundred and sixty—read third time, and passed.

Mr. Whallon moved to adjourn.

Lost.

Senate bill No. 319, an Act to appropriate money to pay the claim of J. T. Hall—considered in Committee of the Whole, (Mr. Wright in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, read third time, and passed.

Senate bill No. 418, an Act to add an additional section to an Act entitled an Act to amend an Act entitled an Act to provide for the location and sale of the unsold portion of the five hundred thousand acres of land granted to this State for School purposes, and the seventy-two sections donated to this State for the use of a Seminary of learning, approved April twenty-third, eighteen hundred and fifty-eight, and Acts amendatory thereof, approved March twenty-fourth, eighteen hundred and sixty-four—rules suspended, read third time, and passed.

Senate bill No. 122, an Act for the relief of the line officers of the California Volunteers in the service of the United States—considered in Committee of the Whole, (Mr. Badlam in the Chair,) and amended.

IN ASSEMBLY.

Reported and recommended.

Mr Whallon moved to adjourn.

On which, Messrs. Sepulveda, Kewen, and Fraser, demanded the ayes and noes, and the House, at four o'clock and forty-eight minutes, agreed, by the following vote:

AYES—Messrs. Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Clayton, Devoe, Dickinson, Dow, Dutton, Erkson, Fraser, Hill, Hittell, Hoag, Hunt, Kendrick, Kewen, Langdon, McColliam, Perley, Scott of Alameda, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Walker of Fresno, Wiley, Whallon, and Wright—34.

NOES—Messrs. Allen, Badlam, Beaman, Chappell, Cherry, Dodson, Gray, Green, Hubbard, Jenison, Johnson, Littlefield, Ludlow, Lux, Martin, Owen, Perrin, Personette, Pratt, Redfield, Rule, Scott of Siskiyou, Smith of Nevada, Tukey, Walker of Alameda, Wason, Weston, Wilcox, Winchester, and Wood—30.

FIRST EVENING SESSION.

Pursuant to resolution this day adopted, the Assembly convened at seven o'clock P. M.

Speaker in the Chair.

Roll called.

Quorum present.

Mr. Wright moved a call of the House.

Lost.

Mr. Dodson moved to take up and proceed with the General File.

Mr. Teare moved to amend by substituting taking up the printed General File of to-day.

On adopting the amendment, the ayes and noes were demanded, by Messrs. Whallon, Allen, and Wilcox, and taken, with the following result:

AYES—Messrs. Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Devoe, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Kewen, Littlefield, McColliam, Personette, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Walker of Fresno, Whallon, and Wright—29.

NOES—Messrs. Allen, Alley, Beaman, Bowman, Boulware, Brooks, Chappell, Clayton, Dodson, Dutton, Dyer, Gray, Green, Hubbard, Hunt, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—40.

On adopting the motion of Mr. Dodson, the ayes and noes were demanded, by Messrs. Teare, Whallon, and Lux, and it was adopted, by the following vote:

AYES—Messrs. Allen, Alley, Beaman, Bowman, Boulware, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Dodson, Dutton, Dyer, Gray, Green, Hubbard, Hunt, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—43.

NOES—Messrs. Brooks, Brown of Tulare, Castro, Devoe, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Kewen, Littlefield, McColliam, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Whallon, and Wright—24.

Mr. Campbell of San Francisco offered a concurrent resolution, relative to increase of the pay of officers and soldiers of the United States stationed on the Pacific Coast.

Mr. Owen moved the previous question.

Sustained.

On the adoption of the resolution, the ayes and noes were demanded, by Messrs. Whallon, Sepulveda, and Hoag, and the resolution was adopted, by the following vote:

AYES—Messrs. Allen, Alley, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Fraser, Gray, Green, Hittell, Hoag, Hubbard, Hunt, Hirst, Jenison, Johnson, Kendrick, Langdon, Littlefield, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Whallon, Wood, and Wright—63.

NOES—Messrs. Hill, and Winchester—2.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
March 31st, 1864. }

MR. SPEAKER:—I am instructed to inform the Assembly that the Senate, this day, amended and passed Senate bill No. 322, an Act supplementary to an Act entitled an Act to authorize the sale and conveyance to the South San Francisco Homestead Association of certain Overflowed Lands in the City and County of San Francisco, approved April twenty-fifth, eighteen hundred and sixty-three.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
March 31st, 1864. }

MR. SPEAKER:—The Senate, this day, refused to pass Assembly bill No. 60, an Act to amend an Act entitled an Act to amend an Act to regulate elections;

Also, this day, passed Senate bill No. 327, an Act supplementary to an Act entitled an Act to limit the time for the commencement of civil

actions in certain cases, approved March fifth, eighteen hundred and sixty-four.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 31st, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 438, an Act entitled an Act authorizing the Yuba Railroad Company to change its northern terminus;

Also, passed Senate bill No. 439, an Act to authorize the Oakland and San Antonio Steam Navigation Company to improve the navigation of the San Antonio Creek, in Alameda County;

Also, passed Assembly bill No. 464, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer;

Also, amended and passed Assembly bill No. 445, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 31st, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 312, an Act to amend an Act entitled an Act concerning corporations, approved April twenty-second, eighteen hundred and fifty;

Also, amended and passed Assembly bill No. 310, an Act making appropriations for deficiencies in the appropriations made for the fourteenth and fifteenth fiscal years ending June thirtieth, eighteen hundred and sixty-four;

Also, concurred in Assembly concurrent resolution No. 32, relative to a mail route from Los Angeles to Santa Fe, New Mexico;

Also, passed Assembly bill No. 214, an Act to authorize the sale and conveyance to the North San Francisco Homestead and Railroad Association of Overflowed Lands in the City and County of San Francisco.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 31st, 1864. }

Mr. SPEAKER :—The Senate, this day, amended and passed Assembly bill No. 359, an Act concerning partnerships for mining purposes;

Also, passed Senate bill No. 276, an Act to create the office of State Geologist, and to define the duties thereof;

Also, passed Assembly bill No. 190, an Act to authorize the sale and conveyance to the Golden City Homestead Association of certain Overflowed Lands in the City and County of San Francisco.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
March 31st, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Assembly bill No. 307, an Act to establish Police regulations for the harbor of the City and County of San Francisco;

Also, passed Assembly bill No. 380, an Act to fix the time of holding the County and Probate Courts in the Counties of Shasta and Mendocino;

Also, passed Assembly bill No. 403, an Act to fix the amount of the official bonds of the officers in and for the County of Klamath;

Also, passed Assembly bill No. 391, an Act authorizing Samuel Brannan to convey certain lands for cemetery purposes in the City and County of Sacramento;

Also, amended and passed Assembly bill No. 389, an Act to amend an Act entitled an Act to provide for the collection of taxes on personal property in the City and County of San Francisco;

Also, amended and passed Assembly bill No. 398, an Act to amend an Act supplementary to an Act to prevent the trespassing of animals upon private property;

Also, passed Assembly bill No. 348, an Act to change the name of Charles Erastus C  y to Charles Lyman Snow.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
March 31st, 1864. }

MR. SPEAKER:—I am directed to inform the Assembly that the Senate, this day, passed Senate bill No. 367, an Act concerning the offices of Clerk and Recorder, and the rules were then suspended, and the original bill ordered transmitted to the Assembly without engrossment;

Also, on the twenty-ninth instant, passed Senate bill No. 372, an Act to authorize the Supervisors of Napa County to subscribe stock to the Napa Valley Railroad;

Also, on the thirtieth instant, passed Senate bill No. 63, an Act to take the votes of soldiers, etc.

CHAS. WESTMORELAND,
Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendments to Assembly bill No. 359, above reported.

The House concurred in Senate amendments to Assembly bill No. 445, above reported.

The House concurred in Senate amendments to Assembly bill No. 310, above reported.

Senate bill No. 63, above reported, read first and second times, and ordered to General File.

Senate bill No. 367, above reported, read first and second times, and ordered to General File.

Senate bill No. 276, above reported, read first and second times, and ordered to General File.

Senate bill No. 322, above reported, read first and second times, and ordered to General File.

Senate bill No. 438, above reported, read first and second times, and ordered to General File.

Senate bill No. 345, above reported, was read first and second times.

Mr. Whallon moved to refer to the Committee on Corporations.

On which, the ayes and noes were demanded, by Messrs. Whallon, Dow, and Hoag, and taken, with the following result:

AYES—Messrs. Brown of Tulare, Buffum, Campbell of El Dorado, Castro, Cherry, Dickinson, Erkson, Hoag, Kendrick, Kewen, Langdon, Littlefield, McColliam, Redfield, Sepulveda, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Fresno, Weston, Wilcox, and Whallon—24.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brown of Amador, Chappell, Clayton, Dodson, Dow, Dutton, Dyer, Fraser, Gray, Green, Hill, Hittell, Hunt, Hirst, Jenison, Johnson, Ludlow, Lux, Martin, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Scott of Alameda, Smith of Nevada, Snyder, Watson, Wiley, Wilsey, Winchester, Wood, and Wright—40.

The bill was ordered to General File.

Senate bill No. 312, above reported, read first and second times, and referred to the Judiciary Committee.

Senate bill No. 372, above reported, read first and second times, rules suspended, amendments adopted, read third time, and passed.

Senate bill No. 439, above reported, read first and second times, rules suspended, read third time, and passed.

The House concurred in Senate amendments to Assembly bill No. 398, above reported.

The House concurred in Senate amendments to Assembly bill No. 389, above reported.

Senate bill No. 327, above reported, read first and second times, rules suspended, read third time, and passed.

GENERAL FILE.

Senate bill No. 258, an Act supplementary to an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one—ordered engrossed and read third time.

Senate bill No. 425, an Act to provide for the election of Supervisors in the County of Amador—rules suspended, read third time, and passed.

Assembly bill No. 462, an Act in relation to Swamp Land District Funds—laid on the table.

Assembly bill No. 325, an Act concerning the militia of this State—read by title by the Chief Clerk.

Mr. Teare raised the point of order that the bill, not having been included in the printed General File of the day, should not be considered.

The Speaker decided the point of order not well taken.

Mr. Teare appealed from the decision of the Chair.

Mr. Snyder moved the previous question.

Messrs. Teare, Whallon, and Dickinson, called for the ayes and noes, and the previous question was ordered, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clayton, Devoe, Dodson, Dow, Erkson, Gray, Green, Hunt, Hirst, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—49.

NOES—Messrs. Brown of Amador, Castro, Dickinson, Fraser, Hill,

Hittell, Hoag, Hubbard, Kendrick, Kewen, Littlefield, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, and Wason—17.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded, by Messrs. Teare, Hittell, and Snyder, and the decision of the Chair was sustained, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Cherry, Clayton, Devoe, Dodson, Dow, Dutton, Erkson, Gray, Green, Hubbard, Hunt, Hirst, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—55.

NOES—Messrs. Dickinson, Fraser, Hill, Hittell, Hoag, Kendrick, Kewen, Littlefield, Sepulveda, Smith of Sonoma, Teare, and Walker of Fresno—12.

Assembly bill No. 325—returned to file.

Assembly bill No. 347, an Act to aid the construction of the Central Pacific Railroad, and to secure the use of the same to this State for military and other purposes, and other matters relating thereto—considered in Committee of the Whole, (Mr. Owen in the Chair.)

IN ASSEMBLY.

Reported and recommended.

¶ Mr. Hittell moved to amend the preamble, by substituting therefor the following:

"WHEREAS, the Central Pacific Railroad Company has four hundred and fifty thousand dollars of capital stock actually paid in; and,

"WHEREAS, the Federal Government has given to said company four million five hundred thousand dollars of bonds, and nine hundred and sixty thousand acres of land, which, being covered with very valuable timber, will be worth at least ten dollars per acre so soon as the road is finished; the total value of the land being, ten millions of dollars, as stated by the company itself; and,

"WHEREAS, the State, at the last session of the Legislature, appropriated five hundred thousand dollars to the road; and,

"WHEREAS, San Francisco, Sacramento, and Placer Counties subscribed one million one hundred thousand dollars to said company; and,

"WHEREAS, the said aid being four million five hundred thousand dollars of Federal bonds, ten million dollars of Federal lands, five hundred thousand dollars of State cash, and one million one hundred thousand dollars of county bonds, amounts to only fifteen million seven hundred thousand dollars, or one hundred thousand dollars per mile; and,

"WHEREAS, said Government [aid] is only thirty dollars for each dollar paid in by the company; and,

"WHEREAS, capitalists are unwilling to subscribe to a company which has only one hundred thousand dollars per mile of donation from Government; and,

"WHEREAS, the State Treasury is in such a plethoric condition that additional donations of four or five millions to railroads will not be unwelcome to the tax payers; and,

"WHEREAS, there is a possibility that the construction of said Central Pacific Railroad will lead to the ultimate construction of a road across the Continent; therefore,"

Mr. Owen moved the previous question.

On ordering the same, the ayes and noes were demanded, by Messrs. Kewen, Teare, and Devoe, and the House so ordered, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brown of Amador, Chappell, Cherry, Clayton, Devoe, Dodson, Dutton, Dyer, Gray, Green, Hubbard, Hunt, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—43.

NOES—Messrs. Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Dickinson, Dow, Erkson, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Kewen, Littlefield, McColliam, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Wason, Whallon, and Wright—28.

On adopting the substitute offered by Mr. Hittell, the ayes and noes were demanded, by Messrs. Kewen, Hittell, and Hoag, and it was rejected, by the following vote:

AYES—Messrs. Brown of Tulare, Castro, Dickinson, Hill, Hittell, Hoag, Hunt, Kendrick, Kewen, McColliam, Sepulveda, Smith of Sonoma, Sumner, and Walker of Fresno—14.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Cherry, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Gray, Green, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Redfield, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—54.

Mr. Kewen claimed to have offered a series of amendments to the bill before the previous question was demanded and sustained, and demanded the reading.

Mr. Speaker decided the amendments not properly before the House.

Mr. Kewen appealed from the decision of the Chair.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" Messrs. Kewen, Whallon, and Hittell demanded the ayes and noes, and the Chair was sustained, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Devoe, Dutton, Dyer, Gray, Green, Hubbard, Hunt, Hirst, Jenison, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Person-

ette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Watson, Weston, Wilsey, Winchester, and Wood—42.

NOES—Messrs. Brown of Tulare, Castro, Cherry, Dickinson, Dodson, Dow, Fraser, Hill, Hittell, Hoag, Johnson, Kendrick, Kewen, Littlefield, McColliam, Redfield, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Wilcox, Wiley, Whallon, and Wright—25.

On ordering the bill read third time, the ayes and noes were demanded, by Messrs. Martin, Lux, and Watson, and the House so ordered, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Devoe, Dodson, Dutton, Dyer, Gray, Green, Hubbard, Hunt, Hirst, Jenison, Johnson, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Mr. Speaker—47.

NOES—Messrs. Brown of Tulare, Campbell of El Dorado, Castro, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Kendrick, Kewen, Langdon, Littlefield, McColliam, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Wason, Whallon, and Wright—24.

Pending the roll call, Mr. Wason was called upon to vote.

Mr. Boulware moved that he be excused.

Mr. Hittell raised the point of order that no motion could be entertained during a roll call.

The Speaker decided the point of order not well taken.

Mr. Hittell appealed from the decision of the Chair.

The Chair was sustained.

Mr. Wason voted in accordance with the rule on that subject.

Senate bill No. 362, an Act to aid in the construction of the California portion of the Pacific Railroad from the City of San Francisco to the eastern boundary of the State, and to create a funded debt for the payment of the same.

Mr. Hittell offered the following amendment: Amend section four, line five, by striking out "gold coin." and inserting "legal currency."

Mr. Wilcox moved the previous question.

On which, Messrs. Hittell, Weston, and Martin, demanded the ayes and noes, and the motion was sustained, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Dodson, Dutton, Dyer, Gray, Green, Hubbard, Hunt, Hirst, Ludlow, Lux, Martin, Owen, Perrin, Pratt, Scott of Alameda, Snyder, Tukey, Walker of Alameda, Watson, Wilcox, Wilsey, Winchester, and Wood—35.

NOES—Messrs. Brown of Tulare, Campbell of El Dorado, Castro, Dickinson, Dow, Erksan, Fraser, Hill, Hittell, Hoag, Jenison, Johnson, Kendrick, Kewen, Langdon, Littlefield, Perley, Redfield, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Wason, Weston, Wiley, Whallon, and Wright—31.

On adopting the amendment, the ayes and noes were demanded, by Messrs Hittell, Teare, and Dickinson, and the amendment was rejected, by the following vote :

AYES—Messrs. Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Castro, Chappell, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Hirst, Johnson, Kendrick, Kewen, Langdon, Littlefield, Perley, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Wason, Weston, Wiley, Whallon, and Wright—31.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Cherry, Devoe, Dodson, Dutton, Dyer, Green, Hubbard, Hunt, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perrin, Personette, Pratt, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Walker of Fresno, Watson, Wilcox, Wilsey, Winchester, and Wood—36.

And the bill was ordered engrossed.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—The Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No. 455, an Act to incorporate the Town of Markleeville.

DYER, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 190, an Act to authorize the sale and conveyance to the Golden City Homestead Association of certain Overflowed Lands in the City and County of San Francisco ;

Also, Assembly bill No. 302, an Act to establish the lines and grades of streets in the City and County of San Francisco ;

Also, Assembly bill No. 397, an Act to provide for the construction of additional cells at the State Prison ;

Also, Assembly bill No. 104, an Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 367, an Act amendatory of an Act entitled an Act to reduce and establish the salaries of officers and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six ;

Also, Assembly bill No. 209, an Act to amend an Act entitled an Act to provide for the appointment of Notaries Public, and defining their duties, approved April twenty-fifth, eighteen hundred and sixty-two ;

And this thirty-first day of March, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, had leave to make the following report :

MR. SPEAKER :—The Judiciary Committee, having had under consideration Senate bill No. 312, an Act entitled an Act to amend an Act con-

cerning corporations, approved April twenty-second, eighteen hundred and fifty, beg leave to report the same back, without recommendation.

CAMPBELL of San Francisco, Chairman.

Mr. Wright moved to adjourn.

On which, Messrs. Wright, Kewen, and Walker of Fresno, demanded the ayes and noes, and the House, at nine o'clock and forty-eight minutes P. M., agreed to adjourn, by the following vote :

AYES—Messrs. Alley, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Chappell, Dickinson, Dow, Erksen, Fraser, Gray, Green, Hill, Hittell, Hunt, Hirst, Jenison, Johnson, Kendrick, Kewen, Littlefield, Ludlow, McColliam, Owen, Perley, Personette, Redfield, Rule, Scott of Alameda, Sepulveda, Smith of Sonoma, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Whallon, and Wright—40.

NOES—Messrs. Badlam, Beamman, Bowman, Boulware, Castro, Clayton, Devoe, Dodson, Dutton, Hubbard, Langdon, Lux, Martin, Perrin, Rhoads, Smith of Nevada, Snyder, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—23.

IN ASSEMBLY.

HOUSE OF ASSEMBLY, }
Friday, April 1st, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of preceding day and evening read and approved.

Mr. Campbell of El Dorado, Chairman of the Committee on Claims, made the following report :

MR. SPEAKER :—The Committee on Claims, to whom was referred Senate bill No. 320, an Act to appropriate money to pay the claim of I. & S. Wormser, assignees of T. A. Levison, for the want of any evidence for or against the claim, beg leave to report the bill back to the House without recommendation.

CAMPBELL of El Dorado, Chairman.

Mr. Dyer, Chairman of the Committee on Engrossment, made the following report :

MR. SPEAKER :—Your Committee on Engrossment have examined, and found correctly engrossed, Assembly bill No 437, an Act for the relief of Mathew Mullen and others.

DYER, Chairman.

Mr. Dow made the following report :

MR. SPEAKER :—The El Dorado delegation, to whom was referred Sen-

ate bill No. 435, an Act to authorize the Board of Supervisors of El Dorado County to subscribe one hundred thousand dollars, in addition to the amount heretofore subscribed by said county, to the capital stock of the Placerville and Sacramento Valley Railroad Company, beg leave to report the same back with amendments, and recommend its passage as amended.

DOW, for Delegation.

RESOLUTIONS.

Mr. Redfield offered the following resolution :

WHEREAS, a vacancy has occurred in the Committee on Enrolment of the Assembly, by the permanent absence of Mr. Van Schaick for the rest of the session ; therefore,

Resolved, That the Speaker be requested to fill the said vacancy.

Adopted.

Mr. Speaker filled the vacancy by appointing Mr. Wason.

Mr. Wilcox offered the following resolution :

Resolved, That when this House adjourns it adjourns to meet this evening at seven o'clock.

Adopted.

Mr. Wilcox offered the following resolution :

Resolved, That Senate bill No. 207, an Act making pilot regulations for San Francisco, Mare Island, and Benicia, be placed at top of file for this evening.

Mr. Boulware moved the previous question.

The ayes and noes were demanded, by Messrs. Wilcox, Clayton, and Kewen, and the resolution was lost, by the following vote :

AYES—Messrs. Badlam, Beaman, Brown of Tulare, Campbell of El Dorado, Castro, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Erkson, Green, Hoag, Jenison, Kendrick, Kewen, Martin, Perley, Perrin, Pratt, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Tukey, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, and Whallon—32.

NOES—Messrs. Alley, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Clark, Dodson, Fraser, Gray, Hill, Hittell, Hunt, Johnson, Langdon, Littlefield, Ludlow, Lux, McColliam, Owen, Parker, Rule, Scott of Siskiyou, Smith of Nevada, Sumner, Teare, Walker of Alameda, Watson, Weston, Wiley, Wood, and Wright—35.

Mr. Wilsey, Chairman of the Committee on Corporations, made the following report :

MR. SPEAKER :—Your Committee on Corporations, to whom was referred Senate bill No. 33, an Act concerning corporations formed for canal and ditch purposes, have considered the same, and beg leave to report the same back without recommendation.

WILSEY, Chairman.

Mr. Fraser, from the Committee on Counties and County Boundaries, made the following report :

MR. SPEAKER:—The Committee on Counties and County Boundaries, to whom was referred Assembly concurrent resolution relating to Keddie's map of California, beg leave to report that they have examined the same, and believe it will be by far the best map of our State yet published when completed.

FRASER,
GREEN,
TEARE.

GENERAL FILE.

According to Rule Number Seventy-Nine of the Standing Rules of the Assembly, the file was taken up at eleven o'clock A. M., and each bill read by title, but there being objections made, no one was considered.

After No. 19 on the file was called, Mr. Whallon moved to adjourn.

On which, Messrs. Watson, Allen, and Dow, demanded the ayes and noes, and the House refused, by the following vote :

AYES—Messrs. Alley, Castro, Dickinson, Hill, Hoag, Hunt, Kendrick, Kewen, McColliam, Sepulveda, Smith of Sonoma, Teare, Walker of Fresno, and Whallon—14.

NOES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Buffum, Campbell of El Dorado, Cherry, Clark, Clayton, Devoe, Dodson, Dow, Dutton, Dyer, Erkson, Green, Hubbard, Hirst, Jenison, Johnson, Langdon, Littlefield, Ludlow, Lux, Martin, Owen, Parker, Perrin, Personette, Pratt, Rhoads, Rule, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—47.

The calling of the file then proceeded to the end, but no bill was taken up.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
April 1st, 1864. }

MR. SPEAKER:—The Senate yesterday passed Assembly bill No. 408, an Act concerning the Superintendent of Common Schools in the County of Sonoma ;

Also, passed Assembly bill No. 369, an Act to authorize the Board of Supervisors of Humboldt County to annul certain bonds ;

Also, passed Assembly bill No. 429, an Act concerning the office of Public Administrator in the Counties of Shasta and Trinity ;

Also, passed Assembly bill No. 410, an Act to authorize the Owens River Canal Company to improve the channel of said river ;

Also, passed Assembly bill No. 401, an Act to prevent the trespassing of hogs, sheep, and goats upon private property in the County of Calaveras ;

Also, passed Assembly bill No. 191, an Act concerning the records of the District Court of the Seventh Judicial District in and for Solano County ;

Also, passed Assembly bill No. 414, an Act to amend an Act entitled an Act concerning hogs running at large in the County of Solano ;

Also, indefinitely postponed Assembly bill No. 356, an Act to authorize Guadeloupe Adelaide Limas to sell certain property of her minor children, Francisco J. Limas and Ana A. Limas ;

Also, passed Assembly bill No. 435, an Act to repeal a certain Act entitled an Act to authorize the Board of Supervisors of Tehama County to levy a special tax and create a Redemption Fund for the payment of county indebtedness ;

Also, passed Assembly bill No. 419, an Act fixing the time of holding the County Court and Probate Court in the County of Calaveras ;

Also, passed Assembly bill No. 278, an Act for the relief of George Nelson ;

Also, passed Assembly bill No. 395, an Act to settle the title to lands in the Village and Town of Branciforte, in the County of Santa Cruz ;

Also, passed Assembly bill No. 311, an Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and amended April twenty-fifth, eighteen hundred and sixty-three ;

Also, amended and passed Assembly bill No. 416, an Act to provide for funding the indebtedness of the County of Colusa ;

Also, passed Assembly bill No. 425, an Act more particularly to define the boundaries of the County of Los Angeles ;

Also, amended and passed Assembly bill No. 73, an Act concerning the salary of the County Judge of Los Angeles County ;

Also, passed Assembly bill No. 400, an Act to grant the right to construct a turnpike road from the Town of Searsville, in the County of San Mateo, to the Town of Pescadero, in the County of Santa Cruz ;

Also, passed Assembly bill No. 427, an Act relating to the First Judicial District, and to fix the time of holding the Court in said district ;

Also, passed Assembly bill No. 424, an Act to regulate the fees of officers of the County of Trinity ;

Also, indefinitely postponed Assembly bill No. 219, an Act to confirm and to legalize certain assessment rolls of the City and County of San Francisco ;

Also, passed Assembly bill No. 402, an Act to grant to the San Francisco Cordage Company the right to construct a wharf in the Bay of San Francisco ;

Also, passed Assembly bill No. 428, an Act fixing the salaries of the county officers of Nevada County ;

Also, passed Senate bill No. 422, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, passed Senate bill No. 382, an Act concerning the fees of jurors and witnesses in the City and County of San Francisco ;

Also, passed Senate bill No. 361, an Act to fix the compensation of officers, and to provide for funding the floating debt of the County of Santa Barbara ;

Also, passed Senate bill No. 416, an Act supplementary to an Act entitled an Act to amend an Act to incorporate the City of Oakland ;

Also, passed Senate bill No. 417, an Act to authorize the City Council of the City of Oakland to improve the streets, lanes, alleys, courts, and places in the said city ;

Also, passed Senate bill No. 414, an Act to provide for the construction of a turnpike road in Santa Clara and Santa Cruz Counties;

Also, passed Senate bill No. 379, an Act amendatory of and supplementary to an Act entitled an Act providing for the government of the County of Sacramento;

Also, passed Senate bill No. 415, an Act for the improvement of Napa County, by providing means for the establishment of an agricultural society and the State Agricultural College therein;

Also, passed Senate bill No. 373, an Act to provide for the election of Supervisors in certain counties in this State;

Also, amended and passed Assembly bill No. 338, an Act concerning jurors in certain counties, and amended title to same;

Also, passed Assembly bill No. 76, an Act to establish and maintain Public Pounds for the better securing of estrays and other stock in the County of San Joaquin;

Also, passed Assembly bill No. 440, an Act to enable the Sonora and Mono Wagon Road Commissioners to settle with the Counties of San Joaquin, Tuolumne, Mono, and Stanislaus.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 1st, 1864. }

Mr. SPEAKER:—The Senate yesterday passed Senate bill No. 114, an Act amendatory of an Act entitled an Act to regulate elections, approved March twenty-third, eighteen hundred and fifty.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendments to Assembly bill No. 338, above reported.

The House concurred in Senate amendments to Assembly bill No. 311, above reported.

The House concurred in Senate amendments to Assembly bill No. 416, above reported.

The House concurred in Senate amendments to Assembly bill No. 73, above reported.

Senate bill No. 422, above reported, read first and second times, and ordered to General File.

Senate bill No. 414, above reported, read first and second times, and ordered to General File.

Senate bill No. 415, above reported, read first and second times, and ordered to General File.

Senate bill No. 373, above reported, read first and second times, and ordered to General File.

Senate bill No. 440, above reported, read first and second times, and ordered to General File.

Senate bill No. 377, above reported, read first and second times, and ordered to General File.

Senate bill No. 416, above reported, read first and second times, and ordered to General File.

Senate bill No. 382, above reported, read first and second times, and ordered to General File.

Senate bill No. 417, above reported, read first and second times, and ordered to General File.

Senate bill No. 114, above reported, read first and second times, and ordered to General File.

Senate bill No. 361, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 373, above reported, read first and second times, amended, by including in the provisions of the bill the Counties of Siskiyou, Fresno, San Joaquin, Mendocino, Plumas, Lassen, Solano, and Mono, the rules suspended, read third time, and passed.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

Mr. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 329, an Act relating to the establishment of the eastern boundary of the State of California ;

Also, Assembly bill No. 159, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by said Board ;

Also, Assembly bill No. 214, an Act to authorize the sale and conveyance to the North San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco ;

Also, Assembly bill No. 96, an Act to amend an Act entitled an Act granting the right to construct and maintain a railroad in certain streets therein named in the City and County of San Francisco ;

And on this first day of April, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

REDFIELD, Chairman.

The rules were suspended to allow Mr. Owen to introduce a bill for an Act to provide for a railroad through certain streets therein named in the City of San José.

Read first and second times, rules suspended, and considered engrossed.

On the passage of the bill, the previous question was sustained, on motion of Mr. Boulware, and the ayes and noes were demanded, by Messrs. Teare, Watson, and Fraser, and the bill passed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Buffum, Campbell of El Dorado, Campbell of San Francisco, Cherry, Clark, Clayton, Devoe, Dickinson, Dyer, Green, Hartsough, Hill, Jenison, Johnson, Kendrick, Langdon, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Teare, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, Wood, and Wright—51.

NOES—Messrs. Brown of Tulare, Castro, Fraser, and Hittell—4.

The rules were suspended, and Mr. Dodson introduced a bill for an Act for the better preservation of certain records of Napa County.

Read first and second times, rules suspended, considered engrossed, read third time, and passed, and the Fifty-Eighth Rule suspended.

Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence—recommitted with special instructions to the Military Committee.

Senate bill No. 258, an Act supplementary to an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Mr. Rule offered the following amendment:

“Section 2. This Act shall only apply to mines located on Spanish or Mexican grants.”

Mr. Watson moved the previous question.

Sustained.

On adopting the amendment, the ayes and noes were demanded, by Messrs. Kewen, Wright, and Wilcox, and it was not adopted, by the following vote:

AYES—Messrs. Badlam, Brown of Amador, Campbell of El Dorado, Dow, Dyer, Fraser, Gray, Hirst, Littlefield, Pratt, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, and Sumner—15.

NOES—Messrs. Allen, Alley, Beaman, Bowman, Boulware, Brooks, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Cherry, Clayton, Devoe, Dickinson, Dodson, Dutton, Erkson, Green, Hartsough, Hill, Hittell, Jenison, Johnson, Kendrick, Kewen, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Redfield, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, Whallon, Wood, and Wright—50.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Wilcox, Kewen, and Parker, and the bill passed, by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Tulare, Buffum, Campbell of San Francisco, Cherry, Clayton, Devoe, Dickinson, Dodson, Dutton, Erkson, Green, Hartsough, Hill, Hittell, Jenison, Johnson, Kendrick, Lux, McColliam, Owen, Perley, Perrin, Redfield, Rhoads, Scott of Alameda, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, Whallon, Wood, and Wright—42.

NOES—Messrs. Alley, Brown of Amador, Campbell of El Dorado, Castro, Chappell, Dow, Dyer, Fraser, Gray, Hirst, Kewen, Littlefield, Ludlow, Martin, Parker, Pratt, Rule, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, and Teare—24.

Mr. Wilcox gave notice of a motion to reconsider.

Senate bill No. 347, an Act to aid in the construction of the Central Pacific Railroad, and to secure the use of the same to this State for military and other purposes, and other matters relating thereto.

Mr. Hittell moved that the bill be recommitted to the Committee on Ways and Means with instructions to insert the following amendment: Amend section one by striking out all after the word “company,” in line fifteen of the printed bill.

Mr. Hittell also moved to amend by striking out the last sentence of section five, and adding :

"Section 6. This Act shall not take effect unless it shall have been approved by a majority of all the votes to be cast at the general election to be held in this State on the Tuesday following the first Monday of November next.

"Section 7. The Governor and the several Boards of Supervisors in this State are hereby required to make proclamation and give notice of said election, and of the proposition to be submitted to said electors, and of the time and manner of voting thereon, in the same manner and for the same length of time as in the case of elections of State and county officers, and the ballots for and against such proposition shall be counted and canvassed, and returns thereof made at the same time and in all respects in the same manner as the returns of the votes to be cast at said election for Presidential Electors are by law required to be made. Every ballot cast at said election in favor of said proposition shall have the words "Aid to the Pacific Railroad—Yes," written or printed thereon ; and every ballot cast at said election against said proposition shall have the words "Aid to the Pacific Railroad—No," written or printed thereon, and no other or different words shall be necessary to indicate the choice of the elector upon such proposition. The Governor shall, immediately after the returns of said election are filed in the office of the Secretary of State, make public proclamation of the result of such election, of the number of voters voting in favor of said proposition, and the number voting against said proposition."

Mr. Kewen offered the following additional amendments: Amend lines one, two, three and four, in section one, by striking out and inserting the following, as far as "hereby," in line fourth, so as to read :

"The Central Pacific and the Placerville and Sacramento Valley Railroad Companies of California, corporations duly organized under the laws of this State, for the construction of railroads from the City of Sacramento are."

Amend line nine, in section one, by striking out the word "fifteen," wherever it occurs, and inserting "twenty-five;" and add "fifteen hundred thereof of the Central Pacific Railroad Company, and one thousand of the Placerville and Sacramento Valley Railroad Company."

In line eleven, of section one, and in line fifteen, by striking out the word "Company," and substitute "Companies."

Amend in section one, line twelve, by striking out "twelve" and inserting "fifteen;" and after the word "dollars," in same line, add the following :

"Twelve millions of the Central Pacific Railroad Company, and three millions of the Placerville and Sacramento Valley Railroad Company."

In line eight, section two, strike out "Pacific Railroad Fund," and substitute "Central Pacific, and Placerville and Sacramento Valley Railroad Fund."

In lines nine and eleven, section two, strike out "fifteen," and insert "twenty-five."

In line two, section three, by striking out "Pacific Railroad Fund," and substituting "Central Pacific, and Placerville and Sacramento Valley Railroad Fund."

In lines one and two, section four, strike out the word "Company," and substitute "Companies."

In lines three, seven, ten, and eleven, section four, strike out "railroad," and insert "railroads."

In line twelve, section four, substitute "are" for "is;" also, in line twelve, after the word "and," sixth word in the line, insert "the Central Pacific Railroad Company shall also," etc.

In line twenty-eight, section four, after the word "Company," fifth word in said line, add the following:

"And the Placerville and Sacramento Valley Railroad Company shall, within the same time limited to the Central Pacific Railroad Company, execute, acknowledge, and deliver to the State of California a deed in fee simple for the conveyance of one hundred and sixty acres of land on the line of said railroad, in the vicinity of Folsom, in the County of Sacramento, and about twenty-two miles from Sacramento City, with all the granite and granite quarries thereon."

In lines twenty-eight and twenty-nine, section four, the word "Companies" be substituted for "Company."

Mr. Teare offered the following, as a substitute for the amendments offered by Mr. Hittell:

Amend section one, line sixteen, (printed copy,) by striking out the words "United States gold coin," after the word "in," and insert the following: "the currency in which the revenue of the State is collected at the time the interest on said bonds becomes due."

Mr. Wason submitted the following amendment:

Amend section five, lines seven and eight, by striking out, "this Act shall take effect and be in force from and after its passage," and insert, "this Act shall not take effect and be in force unless it be submitted to a vote of the people of the State of California at the next Presidential election, and receive a majority of votes."

Mr. Hittell also offered as a substitute for an amendment previously offered by him, the following:

Amend section two, line five, by striking out "gold coin," and inserting "the kind of currency in which the taxes of the State may be paid or payable."

Mr. Dodson moved the previous question.

On ordering the same, the ayes and noes were demanded, by Messrs. Martin, Wright, and Dodson, and it was sustained, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Devoc, Dodson, Dutton, Dyer, Erkson, Gray, Green, Hartsough, Hubbard, Hunt, Jenison, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of

Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, and Wood—47.

NOES—Messrs. Brown of Tulare, Campbell of El Dorado, Castro, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Kewen, Littlefield, McColliam, Redfield, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Winchester, Whallon, and Wright—23.

The question being taken to refer with special instructions—

On adopting the first amendment offered by Mr. Hittell, the ayes and noes were demanded, by Messrs. Hittell, Kewen, and Watson, and it was rejected, by the following vote :

AYES—Messrs. Campbell of El Dorado, Campbell of San Francisco, Castro, Dickinson, Dow, Erkson, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Kewen, Langdon, McColliam, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Whallon, and Wright—24.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Brown of Tulare, Buffum, Chappell, Cherry, Devoe, Dodson, Dutton, Dyer, Gray, Green, Hartsough, Hubbard, Hunt, Jenison, Johnson, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—46.

On the second amendment, the ayes and noes were called, by Messrs. Hittell, Castro, and Teare, and taken, with the following result :

AYES—Messrs. Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Dickinson, Dow, Erkson, Fraser, Hill, Hittell, Hirst, Kendrick, Langdon, Littlefield, McColliam, Redfield, Sumner, Teare, Whallon, and Wright—20.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Chappell, Cherry, Devoe, Dodson, Dutton, Dyer, Gray, Green, Hartsough, Hoag, Hubbard, Hunt, Jenison, Johnson, Kewen, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, and Wood—50.

The third amendment was lost.

On adopting the fourth amendment, the ayes and noes were demanded, by Messrs. Sumner, Sepulveda, and Walker of Fresno, and it was rejected, by the following vote :

AYES—Messrs. Brown of Tulare, Campbell of El Dorado, Castro, Dickinson, Dow, Erkson, Fraser, Hill, Hittell, Kendrick, Kewen, Langdon, Littlefield, McColliam, Redfield, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, and Whallon—22.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Devoe, Dutton, Dyer, Gray, Green, Hartsough, Hubbard, Hunt, Hirst, Jenison, Johnson, Ludlow, Lux, Martin, Owen, Parker,

Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—48.

The fifth amendment was lost.

The House refused to recommit on the motion and with the special instructions offered by Mr. Hittell.

The question to recommit with the special instructions proposed by Mr. Kewen, recurring, on adopting the first amendment offered by Mr. Kewen, the ayes and noes were demanded, by Messrs. Teare, Kewen, and Whallon, and it was rejected, by the following vote:

AYES—Messrs. Brown of Tulare, Castro, Dickinson, Dow, Fraser, Hill, Hittell, Hoag, Kendrick, Kewen, Littlefield, McColliam, Redfield, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, and Whallon—19.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Campbell of San Francisco, Cherry, Dodson, Dutton, Dyer, Gray, Green, Hartsough, Hunt, Hirst, Johnson, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, and Wood—44.

The other amendments offered by Mr. Kewen were rejected seriatim, and the House refused to recommit on motion of Mr. Kewen.

On recommitting with the instructions offered by Mr. Teare, the ayes and noes were demanded, by Messrs. Dodson, Teare, and Kewen, and the House refused, by the following vote:

AYES—Messrs. Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Dickinson, Dodson, Dow, Fraser, Hill, Hittell, Hoag, Hirst, Kendrick, Langdon, Littlefield, Redfield, Smith of Sonoma, Sumner, Teare, Whallon, and Wright—21.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Cherry, Devoe, Dutton, Dyer, Erkson, Gray, Green, Hartsough, Hubbard, Hunt, Jenison, Johnson, Kewen, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilcox, Wilsey, and Winchester—46.

On recommitting with the instructions offered by Mr. Wason, the ayes and noes were demanded, by Messrs. Teare, Kewen, and Walker of Fresno, and the House refused, by the following vote:

AYES—Messrs. Brown of Tulare, Castro, Dickinson, Dodson, Fraser, Hill, Hittell, Hoag, Kendrick, Kewen, Langdon, Sepulveda, Smith of Sonoma, Sumner, Teare, Walker of Fresno, and Whallon—17.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of El Dorado, Chappell, Cherry, Dow, Dutton, Dyer, Gray, Green, Hartsough, Hubbard, Hunt, Jenison, Johnson, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada,

Snyder, Tukey, Walker of Alameda, Wason, Watson, Wilcox, Wiley, Wilsey, Winchester, Wood, and Wright—46.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Dickinson, Kewen, and Fraser, and the bill passed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Chappell, Cherry, Devoe, Dodson, Dow, Dutton, Dyer, Gray, Green, Hartsough, Hubbard, Hunt, Hirst, Jenison, Johnson, Kewen, Langdon, Littlefield, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wiley, Wilsey, Winchester, Wood, Wright, and Mr. Speaker—56.

NOES—Messrs. Brown of Tulare, Campbell of El Dorado, Castro, Dickinson, Erkson, Fraser, Hill, Hittell, Hoag, Kendrick, McColliam, Redfield, Sepulveda, Smith of Sonoma, Sumner, Walker of Fresno, and Whallon—17.

Mr. Kewen gave notice of a motion to reconsider.

Mr. Kewen moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Kewen, Clayton, and Scott of Siskiyou, and the House refused, by the following vote :

AYES—Messrs. Brown of Tulare, Campbell of El Dorado, Dickinson, Dow, Hill, Hoag, Hirst, Kendrick, Kewen, Littlefield, McColliam, Personette, Sepulveda, Smith of Sonoma, Teare, Walker of Fresno, Whallon, and Wright—18.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Buffum, Castro, Chappell, Cherry, Devoe, Dodson, Dutton, Dyer, Fraser, Gray, Green, Hartsough, Hubbard, Hunt, Johnson, Langdon, Ludlow, Lux, Martin, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, and Wood—48.

Senate bill No. 362, an Act to aid in the construction of the California portion of the Pacific Railroad, from the City of San Francisco to the eastern boundary of the State, and to create a funded debt for the payment of the same.

Mr. Martin moved the previous question.

On ordering the same, the ayes and noes were demanded, by Messrs. Hirst, Fraser, and Bowman, and it was sustained, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Buffum, Castro, Cherry, Devoe, Dodson, Dutton, Dyer, Erkson, Gray, Green, Hubbard, Hunt, Ludlow, Lux, Martin, Owen, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Watson, Wilcox, Wilsey, Winchester, and Wood—39.

NOES—Messrs. Boulware, Campbell of El Dorado, Campbell of San Francisco, Chappell, Dickinson, Dow, Fraser, Hartsough, Hill, Hittell, Hirst, Johnson, Kendrick, Kewen, Langdon, Littlefield, McColliam,

Perley, Redfield, Scott of Siskiyou, Smith of Sonoma, Teare, Walker of Fresno, Wason, Weston, Wiley, Whallon, and Wright—28.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Wright, Hittell, and Wilcox, and the bill passed, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Buffum, Campbell of San Francisco, Castro, Cherry, Devoe, Dodson, Dutton, Dyer, Erkson, Gray, Green, Hunt, Ludlow, Lux, Martin, Owen, Parker, Perrin, Pratt, Rhoads, Rule, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Walker of Alameda. Watson, Wilcox, Wilsey, Winchester, Wood, and Mr. Speaker—40.

NOES—Messrs. Boulware, Brown of Tulare, Campbell of El Dorado, Chappell, Dickinson, Dow, Fraser, Hartsough, Hill, Hittell, Hubbard, Hirst, Johnson, Kendrick, Kewen, Langdon, Littlefield, McColliam, Perley, Personette, Redfield, Smith of Sonoma, Sumner, Teare, Walker of Fresno, Wason, Weston, Wiley, Whallon, and Wright—30.

Mr. Scott of Siskiyou gave notice of a motion to reconsider.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, had leave to make the following report :

MR. SPEAKER :—The Judiciary Committee, to whom was referred Senate bill No. 261, an Act to authorize the issuance of a duplicate of a certain School Land warrant to Hans Rohner, have had the same under their consideration, and report the bill back, with recommendation of its passage ;

Also, Senate bill No. 432, an Act to appropriate money for deficiency in appropriation for per diem and mileage of Senators of fifteenth fiscal year, and recommend its passage ;

Also, Senate bill No. 359, an Act to amend section three hundred and forty-three of the Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one, and recommend its indefinite postponement.

CAMPBELL of San Francisco, Chairman.

Mr. Owen, from the Committee on Military Affairs, reported back Assembly bill No. 325, an Act concerning the militia of the State.

Mr. Wright moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Wright, Teare, and Kewen, and at four o'clock and twenty minutes P. M., the House adjourned, by the following vote :

AYES—Messrs. Allen, Alley, Bowman, Brooks, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Campbell of San Francisco, Cherry, Dickinson, Dodson, Fraser, Gray, Hartsough, Hill, Hubbard, Hunt, Hirst, Johnson, Kendrick, Kewen, Littlefield, McColliam, Owen, Parker, Personette, Rhoads, Rule, Scott of Siskiyou, Smith of Sonoma, Sumner, Teare, Walker of Alameda, Walker of Fresno, Wiley, Whallon, and Wright—39.

NOES—Messrs. Badlam, Beaman, Boulware, Castro, Chappell, Devoe, Dow, Dutton, Green, Langdon, Ludlow, Lux, Martin, Perley, Perrin, Smith of Nevada, Snyder, Tukey, Wason, Watson, Weston, Wilcox, Wilsey, Winchester, and Wood—24.

SECOND EVENING SESSION.

According to resolution passed this day, the House convened at seven o'clock P. M.

Speaker in the Chair.

Roll called.

Quorum present.

MESSAGE FROM THE GOVERNOR

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 1st, 1864.

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 308, an Act to create the County of Lassen, to define its boundaries, and provide for its organization ;

Also, Assembly bill No. 189, an Act to amend an Act entitled an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 376, an Act to provide for paying the legal and equitable indebtedness of the City of San José ;

Also, Assembly bill No. 346, an Act to amend an Act entitled an Act changing the time of assessing the value of real and personal property and collecting the taxes thereon for State and county purposes in the County of Sierra, approved April tenth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 384, an Act to amend an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 387, an Act to repeal an Act entitled an Act to authorize and empower the Board of Supervisors of Alameda County to improve the navigation of San Antonio Creek, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 296, an Act to amend an Act entitled an Act to incorporate the Town of Downieville, approved March eighteenth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 300, an Act to provide for ascertaining the amount of fees paid certain officers ;

Also, Assembly bill No. 301, an Act to provide for furnishing, in printed form, the poll and tally lists papers for election returns ;

Also, Assembly bill No. 344, an Act to change the name of Frances Anne Blackwell to Frances Anne Hopper ;

Also, Assembly bill No. 240, an Act to amend an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 350, an Act to provide for the support of the privilege of free suffrage during the continuance of the war ;

Also, Assembly bill No. 249, an Act to provide for funding the indebtedness of the County of Tehama ;

Also, Assembly bill No. 59, an Act to divide the State into Congressional Districts, and fix the time to elect Representatives to Congress ;

Also, Assembly bill No. 87, an Act relating to certain Swamp Land Districts therein named;

Also, Assembly bill No. 412, an Act to authorize the formation of an association for the improvement of horses and neat cattle;

Also, Assembly bill No. 442, an Act to authorize Phineas Banning, his associates and assigns, to construct a watercourse from San Gabriel River to Camp Drum and the Town of Wilmington, in Los Angeles County;

Also, Assembly bill No. 291, an Act to extend an Act concerning hogs found running at large in certain counties of this State;

Also, Assembly bill No. 237, an Act to divide the County of Placer into Supervisor and Revenue Districts, to provide for the election of Supervisors and Tax Collectors therein, and other matters connected therewith;

Also, Assembly bill No. 381, an Act amendatory of and supplemental to an Act entitled an Act to provide for street railroads within the City and County of San Francisco, approved April seventeenth, eighteen hundred and sixty-one, and March twenty-eighth, eighteen hundred and sixty-three;

Also, Assembly bill No. 222, an Act in relation to the water front adjacent to Block Number Nine, in the City and County of San Francisco;

Also, Assembly bill No. 397, an Act to provide for the construction of additional cells in the State Prison.

FRED'K F. LOW,
Governor.

MOTIONS AND RESOLUTIONS.

Mr. Weston offered a concurrent resolution providing for a Joint Convention on Saturday, April second, at twelve o'clock M., to elect three Trustees of the State Reform School at Marysville.

Adopted.

Mr. Lux moved to take up Senate bill No. 122, an Act for the relief of line officers of the California militia.

On adopting the amendment adopted in Committee of the Whole, the ayes and noes were demanded, by Messrs. Weston, Whallon, and Hittell.

The amendment, which read as follows: Amend by striking out "gold and silver coin" wherever it occurs, and insert "lawful currency of the United States," was rejected by the following vote:

AYES—Messrs. Campbell of San Francisco, Cherry, Gray, Hittell, Redfield, Teare, and Wason—7.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brooks, Brown of Tulare, Campbell of El Dorado, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Hill, Hubbard, Hunt, Johnson, Kendrick, Langdon, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Walker of Alameda, Walker of Fresno, Watson, Wilcox, Wilsey, Winchester, Whallon, Wood, and Wright—42.

The rules were suspended, and the bill read third time.

Mr. McColliam moved to recommit to the Committee on Military Affairs, with special instructions to amend by striking out "eighteen hundred and sixty-three," and inserting "eighteen hundred and sixty-two."

Mr. Wright moved the previous question.

Sustained.

The amendment offered by Mr. McColliam was rejected.

The bill passed with an amendment.

Mr. Scott of Alameda presented a minority report from the committee to inquire into the cause of the destruction of a battery of seven guns, on the night of the fourteenth of March.

[For report, see Appendix.]

Mr. Scott of Alameda reported a concurrent resolution requesting the Governor to offer a reward for information sufficient for the conviction of the persons guilty of the incendiary act by which the guns were injured.

Adopted.

Mr. Scott of Alameda introduced a bill for an Act to appropriate money for mounting a battery of guns.

Read first and second times, and considered in Committee of the Whole, (Mr. Dodson in the Chair.)

IN ASSEMBLY.

Reported with an amendment and recommended, rules suspended, considered engrossed, read third time, and passed, and the Fifty-Eighth Rule suspended.

Mr. Teare offered a concurrent resolution authorizing the Enrolling Clerk to insert an enacting clause in Assembly bill No. 466.

Adopted.

Mr. Campbell of San Francisco moved to suspend the rules to take up Senate bill No. 63, an Act amendatory of and supplemental to an Act to regulate elections, etc.

On suspending the rules, the ayes and noes were demanded, by Messrs. Lux, Martin, and Dodson, and the House agreed to suspend, by the following vote:

AYES—Messrs. Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Campbell of San Francisco, Chappell, Cherry, Devoe, Dodson, Dow, Dutton, Dyer, Fraser, Green, Hill, Hunt, Hirst, Jenison, Johnson, Langdon, Lux, Martin, McColliam, Owen, Parker, Perley, Perrin, Personette, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Weston, Wiley, Wilsey, and Winchester—40.

NOES—Messrs. Allen, Brown of Tulare, Gray, Hubbard, Kendrick, Kewen, Redfield, Rhoads, Sepulveda, Smith of Sonoma, Walker of Fresno, Wason, Watson, Wilcox, Whallon, and Wright—16.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER, }
April 1st, 1864. }

MR. SPEAKER:—The Senate, this day, passed Assembly bill No. 166, an Act condemning a part of certain streets adjacent to the Insane Asylum in the City of Stockton, for Asylum purposes;

Also, passed Assembly bill No. 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, passed, by a two-thirds vote of the whole Senate, Assembly bill No. 415, an Act to amend an Act to divide the State into judicial districts, approved April twenty-fifth eighteen hundred and sixty-three;

Also, passed Assembly bill No. 444, an Act to amend an Act entitled an Act for the protection of game, passed May thirteenth, eighteen hundred and fifty-four, as amended by an Act approved April seventeenth, eighteen hundred and sixty-one.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 1st, 1864. }

Mr. SPEAKER:—The Senate, this day, concurred in Assembly amendments to Senate bill No. 372, an Act to authorize the Board of Supervisors of Napa County to take and subscribe to the capital stock of the Napa Valley Railroad Company;

Also, concurred in Assembly concurrent resolution No. 44, relative to pay of officers, etc;

Also, passed Senate bill No. 443, an Act supplementary to an Act granting the right of way and to encourage the construction of a line of telegraph from San Francisco to Unionville, in Nevada Territory, passed April twenty seventh, eighteen hundred and sixty-three;

Also, passed Assembly bill No. 323, an Act to enforce the collection of poll taxes;

Also, amended and passed Assembly bill No. 248, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State;

Also, amended and passed Assembly bill No. 233, an Act amendatory of and supplementary to an Act passed March twenty-third, eighteen hundred and fifty, to regulate elections;

Also, passed Senate bill No. 444, an Act to aid in carrying out the provisions of the Pacific Railroad and Telegraph Act of Congress, and other matters relating thereto;

Also, passed Assembly bill No. 455, an Act to incorporate the Town of Markleeville;

Also, passed Assembly bill No. 466, an Act amendatory of and supplemental to an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty;

Also, amended and passed Assembly bill No. 335, an Act to amend an Act entitled an Act to amend an Act to provide revenue for the support of the government of this State, approved March third, eighteen hundred and sixty-three;

Also, struck out the enacting clause of Assembly bill No. 140, an Act for the preservation of the public health;

Also, indefinitely postponed Assembly bill No. 288, an Act amendatory of an Act entitled an Act to regulate marriages;

Also, passed Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER.
April 1st, 1864. }

Mr SPEAKER:—The Senate, this day, passed Senate bill No. 442, an

Act to appropriate money for deficiencies in the appropriations for the fifteenth session of the Legislature.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 1st, 1864. }

Mr. SPEAKER :—The Senate, yesterday, passed Assembly bill No. 454, an Act to legalize the official bond of J. W. Dickinson, Treasurer of Placer County;

Also, passed Senate bill No. 384, an Act supplementary to an Act to grant the right of way for a line of telegraph from San Francisco to Crescent City, passed April twenty-seventh, eighteen hundred and sixty-three;

Also, this day, passed Assembly bill No. 460, an Act to fund the indebtedness of the County of Los Angeles;

Also, this day, passed Assembly bill No. 459, an Act amendatory of an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador, approved April twenty-fifth, eighteen hundred and sixty-two.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 1st, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, passed Assembly bill No. 452, an Act to authorize the Sheriff of San Francisco to appoint a Matron for the County Jail;

Also, on this day, passed Assembly bill No. 461, an Act defining legal distances from Lassen County;

Also, this day, indefinitely postponed Assembly bill No. 42, relative to compensating Owen Curren;

Also, this day, the Senate receded from its amendment to section one of Assembly bill No. 261, an Act to provide for the construction of a macadamized road in the City and County of San Francisco, and to provide for the collection of tolls thereon.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
April 1st, 1864. }

Mr. SPEAKER :—The Senate, this day, indefinitely postponed Assembly bill No. 279, an Act supplementary to an Act entitled an Act concerning County Recorders;

Also, passed Assembly bill No. 347, an Act to amend an Act to regulate proceedings in civil cases in this State, passed April twenty-eighth, eighteen hundred and sixty;

Also, passed Assembly bill No. 352, an Act amendatory of and supplemental to an Act in relation to liens of mechanics and others;

Also, amended and passed Assembly bill No. 139, an Act to promote the study of anatomy;

Also, indefinitely postponed Assembly bill No. 34, an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State;

Also, passed Assembly bill No. 430, an Act to amend an Act entitled an Act concerning lawful fences;

Also, amended and passed Assembly bill No. 392, an Act supplementary to an Act entitled an Act concerning officers, approved April twenty-second, eighteen hundred and sixty-three;

Also, passed Assembly bill No. 447, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers;

Also, indefinitely postponed Assembly bill No. 223, an Act providing for the collection of statistics;

Also, indefinitely postponed Assembly bill No. 268, an Act for the protection of parties purchasing lands of this State;

Also, indefinitely postponed Assembly bill No. 203, an Act to authorize the Governor of the State of California to convey certain real estate;

Also, passed Assembly bill No. 364, an Act concerning moneys deposited in Courts of record in this State.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 1st, 1864. }

MR. SPEAKER:—The Senate, this day, passed Assembly bill No. 444, an Act to amend an Act entitled an Act for the protection of game, passed May thirteenth, eighteen hundred and fifty-four;

Also, passed Senate bill No. 394, an Act to declare and regulate the powers of the Supervisors of the City and County of San Francisco to take private lands for certain public improvements, and to prescribe the manner of its execution;

Also, indefinitely postponed Assembly bill No. 446, an Act to authorize certain parties to construct a lock at the outlet of Clear Lake;

Also, concurred in Assembly concurrent resolution No. 48, relative to the correction of a clerical error.

A. W. BISHOP,
Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendment to Assembly bill No. 248, above reported.

The House concurred in Senate amendments to Assembly bill No. 233, above reported.

The House concurred in Senate amendments to Assembly bill No. 335, above reported.

The House also amended Senate amendment to Assembly bill No. 392, above reported.

Senate bill No. 442, above reported, read first and second times, rules suspended, and considered in Committee of the Whole, (Mr. Cherry in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules again suspended, read third time, and passed.

Senate bill No. 443, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 394, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 384, before reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 444, above reported, read first and second times, rules suspended, read third time, and passed.

The House granted leave to Mr. Dodson to introduce a bill for an Act relating to the Board of Supervisors of the Counties of Napa and Mendocino.

Read first and second times, rules suspended, considered engrossed, read third time, and passed, and Fifty-Eighth Rule suspended.

The rules were suspended, and the House took up and read third time and passed Senate bill No. 422, an Act to amend an Act entitled an Act concerning official fees in the County of Tehama, approved April twenty-seventh, eighteen hundred and sixty-three.

* GENERAL FILE.

Assembly bill No. 176, the general appropriation bill, returned from the Senate with amendments.

Mr. Martin moved the previous question.

On ordering the same, the ayes and noes were demanded, by Messrs. Dodson, Martin, and Wright, and the motion was not sustained, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Brooks, Brown of Amador, Devoe, Green, Hartsough, Jenison, Martin, Owen, Parker, Perley, Perrin, Pratt, Rhoads, Scott of Alameda, Snyder, Wason, Wilcox, and Wilsey—22.

NOES—Messrs. Alley, Boulware, Brown of Tulare, Campbell of San Francisco, Chappell, Cherry, Clayton, Dickinson, Dodson, Dow, Dutton, Fraser, Gray, Hill, Hittell, Hubbard, Hunt, Hirst, Johnson, Kendrick, Kewen, Langdon, Littlefield, Lux, McColliam, Personette, Redfield, Scott of Siskiyou, Sepulveda, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Walker of Alameda, Walker of Fresno, Watson, Weston, Wiley, Winchester, Wood, and Wright—41.

The House went into Committee of the Whole, (Mr. Cherry in the Chair,) to consider the reported amendments.

Sundry amendments to the Senate amendments were adopted.

IN ASSEMBLY.

The adoption of the bill was recommended as amended.

On adopting the first amendment, the ayes and noes were demanded, by Messrs. Martin, Alley, and Wilsey, and the House refused to concur, by the following vote :

AYES—Messrs. Badlam, Campbell of San Francisco, Castro, Cherry, Devoe, Dickinson, Dodson, Dutton, Gray, Hittell, Martin, McColliam, Parker, Perley, Perrin, Personette, Pratt, Rhoads, Scott of Siskiyou, Watson, Wiley, Wilsey, Winchester, and Wright—24.

NOES—Messrs. Allen, Alley, Beaman, Bowman, Boulware, Brooks, Brown of Tulare, Buffum, Chappell, Clayton, Dow, Fraser, Hill, Hubbard, Hunt, Hirst, Kendrick, Kewen, Littlefield, Lux, Owen, Redfield,

Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Alameda, Walker of Fresno, Weston, Whallon, and Wood—34.

On concurring in the second Senate amendment, the ayes and noes were demanded, by Messrs. Wilsey, Martin, and Wilcox, and the House refused to concur, by the following vote:

AYES—Messrs. Badlam, Campbell of San Francisco, Castro, Cherry, Devoe, Dyer, Gray, Hill, Hirst, Langdon, Martin, McColliam, Pratt, Scott of Siskiyou, Smith of Nevada, Snyder, Watson, Wiley, Winchester, and Wright—20.

NOES—Messrs. Allen, Alley, Beaman, Boulware, Brooks, Brown of Tulare, Buffum, Chappell, Clayton, Dickinson, Dow, Dutton, Fraser, Hubbard, Hunt, Kendrick, Kewen, Littlefield, Lux, Perley, Perrin, Personette, Redfield, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, Whallon, and Wood—34.

Mr. Wright moved to postpone the further consideration of the bill, and place it at top of file for April second.

Mr. Martin moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Wilcox, Wilsey, and Martin, and the House refused to adjourn, by the following vote:

AYES—Messrs. Allen, Alley, Boulware, Brown of Tulare, Devoe, Dyer, Hill, Hubbard, Hunt, Kendrick, Kewen, Perrin, Sepulveda, Wilcox, and Whallon—15.

NOES—Messrs. Badlam, Beaman, Bowman, Brooks, Buffum, Campbell of San Francisco, Castro, Chappell, Cherry, Clayton, Dodson, Dow, Dutton, Gray, Green, Hittell, Langdon, Littlefield, Lux, Martin, McColliam, Parker, Perley, Personette, Redfield, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Walker of Alameda, Wason, Watson, Weston, Wilsey, Winchester, Wood, and Wright—39.

On adopting the motion of Mr. Wright, the ayes and noes were demanded, by Messrs. Wilcox, Martin, and Winchester, and the House refused, by the following vote:

AYES—Messrs. Alley, Badlam, Boulware, Brooks, Brown of Tulare, Campbell of San Francisco, Dodson, Hittell, Hubbard, Hunt, Kendrick, McColliam, Owen, Perrin, Rhoads, Sepulveda, Smith of Sonoma, Tukey, Walker of Alameda, Watson, and Wright—21.

NOES—Messrs. Allen, Beaman, Bowman, Buffum, Castro, Chappell, Cherry, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Fraser, Gray, Hill, Hirst, Kewen, Langdon, Littlefield, Lux, Martin, Parker, Perley, Personette, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Teare, Walker of Fresno, Wason, Weston, Wilcox, Wiley, Wilsey, Winchester, Whallon, and Wood—41.

Mr. Wilcox moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Wilcox, Wright, and Martin, and the House refused, by the following vote:

AYES—Messrs. Allen, Boulware, Brown of Tulare, Devoe, Dickinson, Hunt, Kewen, Martin, McColliam, Owen, Sepulveda, Smith of Sonoma, Tukey, Walker of Alameda, Walker of Fresno, Watson, Wilcox, and Whallon—18.

NOES—Messrs. Badlam, Beaman, Bowman, Brooks, Buffum, Campbell of San Francisco, Castro, Cherry, Clayton, Dodson, Dow, Dutton, Gray, Green, Hill, Hittell, Hubbard, Hirst, Langdon, Littlefield, Lux, Parker, Perley, Personette, Pratt, Redfield, Rhoads, Scott of Alameda, Smith of Nevada, Snyder, Wason, Wilsey, Winchester, and Wright—34.

Mr. Boulware moved to postpone the further consideration of the bill until to-morrow morning, at half-past ten o'clock.

Lost.

Mr. Kewen moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Wilcox, Wright, and Littlefield, and the House refused, by the following vote :

AYES—Messrs. Boulware, Brooks, Brown of Tulare, Campbell of San Francisco, Castro, Dickinson, Gray, Hubbard, Hunt, Kendrick, Kewen, Owen, Perley, Perrin, Personette, Sepulveda, Smith of Sonoma, Tukey, Walker of Fresno, Wilcox, Whallon, and Wright—22.

NOES—Messrs. Alley, Badlam, Beaman, Bowman, Buffum, Chappell, Cherry, Devoe, Dow, Dutton, Fraser, Green, Hittell, Hirst, Langdon, Littlefield, Lux, Martin, McColliam, Parker, Redfield, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Watson, Wiley, Wilsey, Winchester, and Wood—32.

Mr. Perrin moved the previous question.

On ordering the same, the ayes and noes were demanded, by Messrs. Wilcox, Lux, and Kewen, and taken, with the following vote :

AYES—Messrs. Allen, Badlam, Brooks, Buffum, Campbell of San Francisco, Chappell, Cherry, Clayton, Dow, Dutton, Dyer, Fraser, Hill, Hittell, Hirst, Langdon, Lux, McColliam, Owen, Parker, Perley, Perrin, Pratt, Redfield, Rhoads, Scott of Alameda, Snyder, Tukey, Wason, Watson, Weston, Wiley, and Winchester—33.

NOES—Messrs. Alley, Beaman, Bowman, Boulware, Brown of Tulare, Dickinson, Gray, Hubbard, Hunt, Kendrick, Kewen, Littlefield, Martin, Personette, Scott of Siskiyou, Sepulveda, Smith of Nevada, Teare, Walker of Alameda, Walker of Fresno, Wilcox, Wilsey, Whallon, Wood, and Wright—25.

And the previous question was sustained.

Mr. Wilcox moved to adjourn.

The Chair, (Mr. Owen,) decided the motion out of order under the previous question, and from that ruling, appealed to the House.

On the question, "Shall the decision of the Chair stand as the judgment of the House?" the ayes and noes were demanded, by Messrs. Kewen, Wilcox, and Walker of Fresno, and the Chair was sustained, by the following vote :

AYES—Messrs. Allen, Alley, Bowman, Brooks, Buffum, Campbell of San Francisco, Castro, Chappell, Cherry, Clayton, Dow, Dutton, Dyer,

Fraser, Gray, Hill, Hittell, Hubbard, Hirst, Langdon, Lux, McColliam, Parker, Perley, Perrin, Pratt, Rhoads, Scott of Alameda, Sepulveda, Snyder, Tukey, Walker of Alameda, Wason, Weston, Wiley, Winchester, Wood, and Mr. Speaker—38.

NOES—Messrs. Beaman, Boulware, Brown of Tulare, Devoe, Dickinson, Hunt, Kendrick, Kewen, Littlefield, Martin, Redfield, Scott of Siskiyou, Smith of Nevada, Smith of Sonoma, Teare, Walker of Fresno, Watson, Wilcox, Wilsey and Whallon—20.

The third amendment of the Senate was concurred in.

On concurring in the fourth amendment, the ayes and noes were demanded, by Messrs. Martin, Wilsey, and Wilcox, and the House concurred, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Brooks, Campbell of San Francisco, Castro, Chappell, Cherry, Dyer, Gray, Hill, Hittell, Hubbard, Hirst, Langdon, Littlefield, Martin, Parker, Perley, Perrin, Pratt, Scott of Siskiyou, Smith of Nevada, Snyder, Tukey, Wason, Watson, Wiley, Wilsey, Winchester, and Wright—30.

NOES—Messrs. Beaman, Boulware, Brown of Tulare, Buffum, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Hunt, Kendrick, Kewen, McColliam, Redfield, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Weston, Wilcox, Whallon, and Wood—26.

The fifth amendment was concurred in.

On concurring in the sixth amendment, the ayes and noes were demanded, by Messrs. Redfield, Beaman, and Lux, and the House refused to concur, by the following vote :

AYES—Messrs. Allen, Beaman, Boulware, Campbell of San Francisco, Castro, Cherry, Dow, Hill, Hubbard, Hunt, Littlefield, Lux, Redfield, Scott of Siskiyou, Tukey, and Wason—16.

NOES—Messrs. Alley, Bowman, Brown of Tulare, Buffum, Chappell, Clayton, Dickinson, Dutton, Fraser, Gray, Hittell, Hirst, Kendrick, Kewen, Martin, McColliam, Parker, Perrin, Pratt, Rhoads, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Walker of Alameda, Walker of Fresno, Weston, Winchester, Whallon, Wood, and Wright—32.

The House concurred in the seventh amendment.

The House refused to concur in the eighth amendment.

The House concurred in the ninth and tenth amendments.

Mr. Wiley moved to reconsider the vote whereby the first Senate amendment was not concurred in.

Mr. Kewen moved to adjourn.

Lost.

The motion of Mr. Wiley prevailed, and the House concurred in the first Senate amendment.

At twelve o'clock p. m. Mr. Kewen renewed the motion to adjourn, and the House agreed so to do.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Saturday, April 2d, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

Journal of preceding day and evening read and approved.

MOTIONS TO RECONSIDER.

Mr. Wilcox moved to reconsider the vote whereby Senate bill No. 362, concerning the California portion of the Pacific Railroad, passed yesterday.

Mr. Owen moved the previous question.

Sustained.

On which, the ayes and noes were demanded, by Messrs. Martin, Beaman, and Scott of Alameda, and the House refused to reconsider, by the following vote :

AYES—Messrs. Brown of Tulare, Campbell of El Dorado, Dickinson, Dow, Fraser, Hartsough, Hill, Hittell, Hoag, Hirst, Kendrick, Langdon, Littlefield, Mebius, Personette, Redfield, Rule, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Teare, Walker of Fresno, Wason, Wiley, and Whallon—25.

NOES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Boulware, Brooks, Brown of Amador, Campbell of San Francisco, Castro, Cherry, Clayton, Devoe, Dodson, Dutton, Dyer, Erkson, Green, Hubbard, Hunt, Johnson, Kewen, Ludlow, Lux, Martin, McColliam, Owen, Parker, Perrin, Scott of Alameda, Snyder, Tukey, Walker of Alameda, Watson, Weston, Wilcox, Wilsey, Winchester, Wood, Wright and Mr. Speaker—41.

Mr. Martin moved to reconsider the vote whereby the House, yesterday, passed Senate bill No. 347, an Act to aid the construction of the Central Pacific Railroad, and for other purposes relating thereto.

Mr. Dodson moved the previous question.

The motion prevailed.

The House refused to reconsider.

Mr. Brown of Amador moved to reconsider the vote whereby the House yesterday passed Senate bill No. 258, an Act supplementary to an Act entitled an Act to provide revenue for the support of the government of this State, approved May seventeenth, eighteen hundred and sixty-one.

Mr. Hittell moved the previous question.

Sustained.

On adopting the reconsideration, the ayes and noes were demanded, by Messrs. Cherry, Snyder, and Wilcox, and the House refused, by the following vote :

AYES—Messrs. Alley, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Castro, Dow, Dyer, Fraser, Hirst, Langdon, Littlefield, Lud-

low, Lux, Martin, Parker, Rule, Scott of Siskiyou, Smith of Nevada, Snyder, Teare, Tukey, and Wilcox—22.

NOES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brooks, Campbell of San Francisco, Cherry, Clayton, Devoe, Dickinson, Dodson, Dutton, Erkson, Hill, Hittell, Hoag, Hunt, Johnson, Kendrick, McColliam, Mebius, Owen, Perley, Perrin, Personette, Redfield, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Walker of Alameda, Walker of Fresno, Wason, Watson, Weston, Wilsey, Winchester, Whallon, Wood, and Wright—41.

Mr. Perley presented sundry petitions from citizens of San Joaquin County relative to a proposed tax for the payment of the debt of the Agricultural Society of that district.

Ordered to file.

REPORTS.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 452, an Act to authorize the Sheriff of San Francisco County to appoint a matron for the County Jail, and other matters relating thereto ;

Also, Assembly bill No. 428, an Act fixing the salaries of the county officers of Nevada County ;

Also, Assembly bill No. 429, an Act concerning the office of Public Administrator in the Counties of Shasta and Trinity ;

Also, Assembly bill No. 398, an Act to amend an Act supplementary to an Act to amend an Act to prevent the trespassing of animals upon private property, approved May seventeenth, eighteen hundred and sixty-one, approved April twenty-first, eighteen hundred and sixty-three ;

Also, Assembly bill No. 369, an Act to authorize the Board of Supervisors of Humboldt County to annul certain bonds ;

Also, Assembly bill No. 261, an Act to provide for the construction of a macadamized road in the City and County of San Francisco, and for the collection of tolls thereon ;

Also, Assembly bill No. 435, an Act to repeal a certain Act entitled an Act to authorize the Board of Supervisors of Tehama County to levy a special tax and create a Redemption Fund for the payment of county indebtedness ;

Also, Assembly bill No. 403, an Act to fix the amount of official bonds of the county officers in and for the County of Klamath ;

Also, Assembly bill No. 408, an Act concerning the Superintendent of Common Schools in the County of Sonoma ;

Also, Assembly bill No. 301, an Act making appropriations for deficiencies in the appropriations made for the fourteenth and fifteenth fiscal years, ending on the thirtieth day of June, eighteen hundred and sixty-four ;

Also, Assembly bill No. 424, an Act to regulate the fees of officers of the County of Trinity ;

Also, Assembly bill No. 278, an Act for the relief of George Nelson ;

Also, Assembly bill No. 359, an Act concerning partnerships for mining purposes ;

Also, Assembly bill No. 410, an Act to authorize the Owens River Canal Company to improve the channel of said river ;

Also, Assembly bill No. 191, an Act concerning the records of the District Court of the Seventh Judicial District in and for Solano County ;

Also, Assembly bill No. 348, an Act to change the name of Charles Erastus Coy to Charles Lyman Snow ;

Also, Assembly bill No. 391, an Act authorizing Samuel Brannan to convey certain lands for cemetery purposes in the City and County of Sacramento ;

Also, Assembly bill No. 461, an Act defining the legal distances from the county seat of Lassen County to the State Capital, Lunatic Asylum, and State Prison ;

Also, Assembly bill No. 425, an Act more particularly to define the boundaries of the County of Los Angeles ;

Also, Assembly bill No. 445, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice of this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Assembly bill No. 380, an Act to fix the time of holding the County Courts and Probate Courts in the Counties of Shasta and Mendocino ;

Also, Assembly bill No. 409, an Act concerning fences in Tuolumne County ;

Also, Assembly bill No. 383, an Act to grant the right to construct a turnpike road between Forest Hill and Grasshopper Ranch, in the County of Placer, with branches thereto, and to establish and maintain a bridge thereon, to J. L. Sanborn, his associates and assigns.

And on the first day of April, eighteen hundred and sixty-four, at eight o'clock P. M., delivered the same to the Governor for his approval.

The committee have also examined Assembly concurrent resolution No. 32, relative to a mail route from Los Angeles to Santa Fe, in New Mexico ;

And this second day of April, eighteen hundred and sixty-four, have placed the same in the Secretary of State's office.

REDFIELD, Chairman.

Mr. Littlefield, from the Committee on Public Expenditures, made the following report :

MR. SPEAKER :—Your Committee on Public Expenditures, having examined and found correct the following bills, beg leave to report the same, and recommend the adoption of the following resolution :

| Names. | Amount. |
|--|----------|
| C. Rave | \$18 00 |
| Philip Groves | 87 87 |
| Edwin A. Sherman, for Esmeralda Star | 4 00 |
| Sacramento Bee..... | 16 00 |
| J. C. Duchow..... | 3 00 |
| Pacific Appeal..... | 1 50 |
| Locke & Lavenson | 6 37 |
| Clark & Dalziel..... | 7 24 |
| Total | \$143 98 |

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Assembly, as follows:

In favor of C. Rave, for eighteen dollars;

In favor of Philip Groves, for eighty-seven dollars and eighty-seven cents;

In favor of Edwin A. Sherman, for four dollars;

In favor of Sacramento Bee, for sixteen dollars;

In favor of J. C. Duchow, for three dollars;

In favor of Pacific Appeal, for one dollar and fifty cents;

In favor of Locke & Lavenson, for six dollars and thirty-seven cents;

In favor of Clark & Dalziel, for seven dollars and twenty-four cents.

LITTLEFIELD, for Committee.

Adopted.

Mr. Wood, Chairman of the Committee on Military Affairs, made the following report:

Mr. SPEAKER:—Your Committee on Military Affairs have had under consideration Assembly bill No. 194, an Act to amend section fifteen of an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, as amended April twenty-fifth, eighteen hundred and sixty-three, and beg leave to report the same back, with the recommendation that it be indefinitely postponed;

Also, Assembly bill No. 201, an Act to provide for the arming and equipment of the Sacramento Sharpshooters with Henry's repeating rifles, and beg leave to report the same back, with the recommendation that it be indefinitely postponed;

Also, Assembly bill No. 257, an Act granting bounties to California Volunteers, beg leave to report the same back, with the recommendation that it be indefinitely postponed;

Also, Assembly bill No. 284, an Act to appropriate funds for the defence of the State, and beg leave to report the same back, with the recommendation that it be indefinitely postponed.

WOOD, Chairman.

Mr. Wood also presented a report of the disbursing officers of the Second Brigade, according to the provisions of an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three.

[For report, see Appendix.]

MOTIONS AND RESOLUTIONS.

Mr. Martin offered the following resolution:

Resolved, That when this House adjourn it adjourn to meet this evening, at seven o'clock, for the purpose of considering business on the General File, unless otherwise ordered by a vote of the House.

The previous question was moved and sustained.

On the passage of the resolution, the ayes and nocs were demanded, and the resolution was adopted, by the following vote:

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Buffum, Castro,

Clark, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Erkson, Green, Hittell, Hoag, Hubbard, Johnson, Kendrick, Kewen, Martin, Owen, Perley, Perrin, Personette, Pratt, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Sumner, Tukey, Walker of Alameda, Walker of Fresno. Wason, Watson, Wilcox, Wilsey, Winchester, Whallon, Wood, and Wright—46.

NOES—Messrs. Alley, Brooks, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Cherry, Dodson, Fraser, Hartsough, Hill, Hunt, Hirst, Langdon, Ludlow, Lux, McColliam, Mebius, Parker, Scott of Siskiyou, Weston, and Wiley—21.

Mr. Perley offered the following resolution :

WHEREAS, It is charged that some of the attachés of the Legislature are drawing pay for holding two positions, and some as high as three; that frauds are being perpetrated upon the Treasury; therefore, be it—

Resolved, That a committee of five be appointed by the Speaker to investigate the charges of fraud, and the number of offices each holds, and the per diem he is drawing, and report the same to this House on Monday morning, the fourth instant;

And be it further Resolved, That they have power to send for persons and papers, compel the attendance of witnesses, and punish for contempt those who disobey their summons or subpoena to attend their meetings and give testimony.

Mr. Martin moved to lay on the table.

The House so ordered.

Mr. Wright moved to suspend Rule Number Seventy-Six of the Standing Rules of the Assembly, for the introduction of the following resolution :

Resolved, By the Assembly, that the three Porters, A. S. Brown, L. Callisch, J. H. Brown, be allowed one dollar per day in addition to the compensation allowed by law, from the date of their appointment, and the Controller is hereby authorized to draw his warrant therefor, payable out of the appropriation for contingent expenses of the Assembly.

On suspending the rules, the ayes and noes were demanded, by Messrs. Wright, Hirst, and Perley, and the rules were suspended, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Bowman, Boulware, Brown of Tulare, Campbell of San Francisco, Castro, Cherry, Dickinson, Dodson, Dow, Dyer, Hill, Johnson, Kendrick, Kewen, Langdon, Ludlow, Lux, Martin, McColliam, Parker, Pratt, Rule, Scott of Alameda, Sepulveda, Teare, Tukey, Walker of Alameda, Watson, Wilcox, Winchester, Whallon, Wood, and Wright—36.

NOES—Messrs. Brooks, Campbell of El Dorado, Clark, Clayton, Devoe, Dutton, Erkson, Fraser, Gray, Hittell, Hubbard, Hirst, Mebius, Owen, Personette, Redfield, Walker of Fresno, and Wason—18.

Mr. Littlefield moved to lay the resolution on the table.

On which, the ayes and noes were demanded, by Messrs. Lux, Dutton, and Wright, and taken, with the following result :

AYES—Messrs. Badlam, Beaman, Brooks, Brown of Amador, Campbell of El Dorado, Clayton, Devoe, Dutton, Erkson, Fraser, Hittell, Hirst, Littlefield, Mobius, Owen, Perrin, Personette, Redfield, Rhoads, Snyder, Walker of Fresno, Wason, Wilcox, and Wilsey—24.

NOES—Messrs. Allen, Alley, Bowman, Boulware, Brown of Tulare, Buffum, Campbell of San Francisco, Castro, Cherry, Clark, Dickinson, Dodson, Dow, Dyer, Gray, Hartsough, Hill, Hubbard, Johnson, Kendrick, Kewen, Langdon, Ludlow, Lux, Martin, McColliam, Parker, Perley, Pratt, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Sumner, Teare, Tukey, Van Schaick, Watson, Weston, Winchester, Whallon, and Wright—43.

The resolution was adopted.

Mr. Gray offered the following resolution :

Resolved, That the use of this hall be given to the First Presbyterian Church of Sacramento, on to-morrow, third instant, at three o'clock, for divine service ; preaching by Reverend Mr. Lowe. *Subject*—"Righteousness exalteth a nation, and sin is a reproach of any people;" illustrated by the past and present condition of the country.

Adopted.

Mr. Campbell of San Francisco moved to suspend the Seventy-Sixth Rule to introduce the following resolution :

Resolved, By the Assembly, that the Paper Folder, Post Master, and other Pages of the Assembly for the fifteenth session, be allowed one dollar per day in addition to the compensation allowed by law, from the date of their appointment ; and the Controller is hereby authorized to draw his warrant therefor, payable out of the appropriation for contingent expenses of the Assembly.

The rule was suspended and the resolution adopted.

Mr. Sumner had leave to make the following report :

MR. SPEAKER :—The Butte delegation, to whom was referred Senate bill No 428, in relation to the Board of Supervisors of the County of Butte, have had the same under consideration, and report the same back without recommendation.

SUMNER, for Delegation.

Mr. Badlam had leave to make the following report :

MR. SPEAKER :—Your special committee appointed to inquire into the amount of copying to be done for the Appendix of the Assembly after the adjournment of the Legislature, respectfully report that the same will be about three thousand folios.

BADLAM,
ALLEN.
FRASER.

Mr. Wright moved to postpone the special order of the day, concerning houses of ill-fame, until after the Joint Convention.

Mr. Kewen moved to amend by postponing until twelve o'clock M, on Monday, April fourth.

On adopting the amendment, the ayes and noes were demanded, by Messrs. Kewen, Sepulveda, and Dodson, and it was adopted, by the following vote:

AYES—Messrs. Allen, Boulware, Brown of Amador, Brown of Tulare, Buffam, Campbell of El Dorado, Castro, Clark, Devoe, Dickinson, Dow, Dyer, Hittell, Hubbard, Hirst, Jenison, Johnson, Kewen, Langdon, Lux, Martin, McColliam, Parker, Perrin, Pratt, Sepulveda, Smith of Sonoma, Snyder, Teare, Walker of Fresno, Wason, Watson, Wilsey, Whallon, and Wood—35.

NOES—Messrs. Alley, Badlam, Beaman, Bowman, Campbell of San Francisco, Cherry, Clayton, Dodson, Dutton, Erkson, Fraser, Gray, Green, Hill, Hunt, Ludlow, Owen, Perley, Personette, Redfield, Rhoads, Rule, Sumner, Tukey, Winchester, and Wright—26.

IN JOINT CONVENTION.

At twelve o'clock, pursuant to concurrent resolution No. 46, passed yesterday, the two Houses met in Joint Convention to elect three Trustees for the State Reform School at Marysville.

Lieutenant-Governor Machin and Speaker Sears presiding.

Senate roll called.

Absent—Messrs. Hale, Hartson, Heacock, Henry, Kutz, Leonard, Lovett, Maddox, Montgomery, Pierce, Rush, Tuttle, and Yule.

Assembly roll called.

Absent—Messrs. Beaman, Campbell of San Francisco, Chappell, Clark, Devoe, Erkson, Hill, Hittell, Jenison, Kewen, Rhoads, Scott of Alameda, Scott of Siskiyou, Teare, Van Leuven, Van Schaick, Watson, and Wiley.

The President announced the object of the Convention to be the election of three Trustees for the State Reform School at Marysville, in accordance with Assembly concurrent resolution No. 46.

FOR TRUSTEES OF STATE REFORM SCHOOL.

Nominations now being in order:

Mr. Dow nominated William H. Parks.

Mr. Beaman nominated William Hawley.

Mr. Hubbard nominated Charles M. Gorham.

Mr. Cunningham nominated Jacob Deeth.

The Secretary of the Senate and Clerk of the Assembly were appointed Tellers.

The roll was then called, with the following result:

| Names. | Parks. | Hawley. | Gorham. | Deeth. |
|------------------|--------|---------|---------|--------|
| Benton..... | ..... | 1 | 1 | 1 |
| Buckley ..... | ..... | 1 | 1 | 1 |
| Burnell | 1 | 1 | 1 | ..... |
| Cot | 1 | 1 | 1 | ..... |
| Crane | 1 | 1 | 1 | ..... |
| Cunningham ..... | ..... | 1 | 1 | 1 |

| Names. | Parks. | Hawley. | Gorham. | Deeth. |
|--------------------------------|--------|---------|---------|--------|
| Dodge | 1 | 1 | 1 | ..... |
| Evans..... | ..... | 1 | 1 | 1 |
| Foulke..... | 1 | 1 | ..... | 1 |
| Freeman..... | 1 | ..... | 1 | 1 |
| Gaskill | 1 | 1 | 1 | ..... |
| Hale..... | ..... | 1 | 1 | 1 |
| Hall..... | ..... | 1 | 1 | 1 |
| Hamilton..... | 1 | ..... | 1 | 1 |
| Haswell..... | 1 | 1 | 1 | ..... |
| Hawes..... | 1 | ..... | 1 | 1 |
| Henry..... | 1 | 1 | ..... | 1 |
| Haskin..... | 1 | ..... | 1 | 1 |
| Jones ..... | ..... | 1 | 1 | 1 |
| McMurtry..... | 1 | ..... | 1 | 1 |
| Meyers..... | 1 | 1 | 1 | ..... |
| Montgomery..... | 1 | ..... | 1 | 1 |
| Moyle..... | 1 | 1 | 1 | ..... |
| Porter.... | 1 | ..... | 1 | 1 |
| Redington | 1 | 1 | 1 | ..... |
| Roberts..... | 1 | 1 | 1 | ..... |
| Shafter..... | 1 | 1 | 1 | ..... |
| Shepard | 1 | ..... | 1 | 1 |
| Smith..... | ..... | 1 | 1 | 1 |
| Wright..... | 1 | ..... | 1 | 1 |
| Yule..... | 1 | ..... | 1 | 1 |
| Allen..... | 1 | ..... | 1 | 1 |
| Alley ..... | ..... | 1 | 1 | 1 |
| Badlam | 1 | ..... | 1 | 1 |
| Beaman ..... | ..... | 1 | 1 | 1 |
| Bowman..... | 1 | 1 | 1 | ..... |
| Boulevard | 1 | 1 | 1 | ..... |
| Brooks | 1 | ..... | 1 | 1 |
| Brown of Amador | 1 | 1 | 1 | ..... |
| Brown of Tulare..... | 1 | ..... | 1 | 1 |
| Campbell of El Dorado..... | 1 | 1 | 1 | ..... |
| Campbell of San Francisco..... | 1 | 1 | ..... | 1 |
| Castro..... | 1 | 1 | 1 | ..... |
| Cherry..... | 1 | 1 | 1 | ..... |
| Clayton | 1 | 1 | 1 | ..... |
| Devoe ..... | ..... | 1 | 1 | 1 |
| Dickinson | 1 | 1 | 1 | ..... |
| Dodson..... | ..... | 1 | 1 | 1 |
| Dow..... | 1 | 1 | 1 | ..... |
| Dutton..... | 1 | 1 | 1 | ..... |
| Dyer..... | ..... | 1 | 1 | 1 |
| Erkson..... | 1 | ..... | 1 | 1 |
| Fraser..... | 1 | 1 | ..... | 1 |
| Gray..... | 1 | 1 | 1 | ..... |
| Green | 1 | 1 | 1 | ..... |
| Hartsough..... | 1 | 1 | 1 | ..... |
| Hill | 1 | ..... | 1 | 1 |

| Names. | Parks. | Hawley. | Gorham. | Deeth. |
|------------------------|--------|---------|---------|--------|
| Hittell | 1 | 1 | 1 | ..... |
| Hubbard..... | 1 | 1 | 1 | ..... |
| Hunt ..... | ..... | 1 | 1 | 1 |
| Johnson..... | 1 | 1 | 1 | ..... |
| Kendrick..... | 1 | ..... | 1 | 1 |
| Kewen | 1 | ..... | 1 | 1 |
| Langdon | 1 | 1 | 1 | ..... |
| Littlefield | 1 | 1 | ..... | 1 |
| Ludlow..... | ..... | 1 | 1 | 1 |
| Lux ..... | ..... | 1 | 1 | 1 |
| Martin..... | 1 | 1 | 1 | ..... |
| McColliam..... | 1 | 1 | 1 | ..... |
| Mebius | 1 | 1 | 1 | ..... |
| Owen..... | 1 | 1 | 1 | ..... |
| Parker | 1 | 1 | 1 | ..... |
| Perley | 1 | ..... | 1 | 1 |
| Perrin | 1 | 1 | 1 | ..... |
| Personette | 1 | 1 | ..... | 1 |
| Pratt | 1 | 1 | 1 | ..... |
| Redfield..... | ..... | 1 | 1 | 1 |
| Rule.. ..... | ..... | 1 | 1 | 1 |
| Scott of Siskiyou..... | 1 | ..... | 1 | 1 |
| Smith of Nevada | 1 | ..... | 1 | 1 |
| Snyder..... | 1 | 1 | 1 | ..... |
| Sumner..... | ..... | 1 | 1 | 1 |
| Teare..... | 1 | ..... | 1 | 1 |
| Tukey ..... | ..... | 1 | 1 | 1 |
| Walker of Fresno..... | 1 | 1 | 1 | ..... |
| Wason ..... | ..... | 1 | 1 | 1 |
| Weston | 1 | 1 | 1 | ..... |
| Wilcox..... | 1 | ..... | 1 | ..... |
| Wilsey..... | 1 | ..... | 1 | 1 |
| Winchester..... | 1 | 1 | 1 | ..... |
| Whallon..... | 1 | 1 | 1 | ..... |
| Wood.. | 1 | 1 | 1 | ..... |
| Wright..... | 1 | ..... | 1 | 1 |
| Mr. Speaker ..... | ..... | 1 | 1 | 1 |
| Totals..... | 72 | 69 | 86 | 52 |

The President announced the result as follows :

| | |
|----------------------------------|----|
| Whole number of votes cast | 94 |
| Necessary to a choice..... | 48 |
| Mr. Parks received... .. | 72 |
| Mr. Hawley received..... | 69 |
| Mr. Gorham received..... | 86 |
| Mr. Deeth received | 52 |

Messrs. Parks, Hawley, and Gorham, having received a majority of

all the votes cast necessary to a choice, were declared duly elected Trustees of the State Reform School.

The objects for which the Convention met having been accomplished, the President declared it adjourned *sine die*.

IN ASSEMBLY.

Roll called.

Quorum present.

Mr. Kewen presented a communication from R. L. Robertson relative to the censure reflected upon him by the report of the committee on the destruction of the battery of guns.

Ordered printed with the other papers relating thereto.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER,
April 1st, 1864 }

MR. SPEAKER:—I am instructed to inform the Assembly that the Senate, this day, passed Assembly bill No. 440, an Act granting to certain parties the right to construct a macadamized road within the City and County of San Francisco;

Also, passed Senate bill No. 429, an Act to provide the County Judge of Trinity County with the Supreme Court Reports of the State of California.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
April 2d, 1864 }

MR. SPEAKER:—The Senate, this day, by vote, adhered to its amendments to Assembly bill No 176, an Act making appropriations for the two fiscal years, ending the thirtieth day of June, eighteen hundred and sixty-six, and appointed a Committee of Free Conference on the part of the Senate, consisting of Senators Evans, Cunningham, and Buckley, and ask the Assembly to appoint a like committee.

A. W. BISHOP,
Assistant Secretary.

The Speaker announced the appointment of the following Committee of Free Conference on the part of the Assembly: Messrs. Allen, Dodson, and Redfield.

SENATE CHAMBER,
April 2d, 1864 }

MR. SPEAKER:—The Senate, this day, passed, under a suspension of the rules, Senate bill No. 445, an Act for the election of County officers in Mono County.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 1st, 1864 }

MR. SPEAKER:—The Senate, this day, amended and passed Assembly

bill No 443, an Act supplementary to an Act entitled an Act to make certain offices in the County of Calaveras salaried offices ;

Also, amended and passed Assembly bill No. 468, an Act for the better protection of certain records of Napa County ;

Also, passed Assembly bill No. 469, an Act to appropriate money to pay for re-mounting a battery of guns ;

Also, concurred in Assembly concurrent resolution No 470, requesting the Governor to offer a reward for information that will lead to the conviction of the person who set fire to the building in which was stored the battery of guns destroyed on the night of the fourteenth of March ;

Also, concurred in Assembly concurrent resolution No. 46, concerning Joint Convention for the purpose of electing Trustees for the State Reform School ;

Also, passed Assembly bill No. 467, an Act to provide for a railroad through certain streets therein named in the City of San José ;

Also, concurred in Assembly amendments to Senate bill No. 122, an Act for the relief of the line officers of the California Volunteers in the service of the United States ;

Also, passed Senate bill No. 238, an Act concerning the State revenue.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 2d, 1864. }

MR. SPEAKER :—The Senate, this day, reconsidered the vote by which Senate bill No. 372 was passed, also reconsidered the vote by which it was engrossed, amended the bill, and passed the same under the suspension of the rules, and ask the concurrence of the Assembly in said amendment ;

Also, passed Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers ;

Also, amended and passed Assembly bill No 374, an Act to amend an Act entitled an Act to authorize the sale of certain real estate by Guardians, approved April tenth, eighteen hundred and sixty.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 2d, 1864. }

MR. SPEAKER :—The Senate, on yesterday, passed Senate bill No. 174, an Act to authorize the Board of Supervisors of San Joaquin County to levy and collect a special tax ;

Also, passed Senate bill No. 406, an Act to extend the time for the completion of a wharf in the City and County of San Francisco ;

Also, passed Senate bill No. 397, an Act to amend an Act concerning stray animals ;

Also, passed Senate bill No. 390, an Act to authorize Rodman Gibbons and his associates to construct a wharf at Point San Quentin ;

Also, passed Senate bill No. 410, an Act for the relief of W. W. Price ;

Also, passed Senate bill No. 360, an Act to amend an Act to regulate proceedings in civil cases in Courts of justice of this State ;

Also, passed Assembly bill No. 438, an Act supplemental to an Act entitled an Act to amend an Act abolishing the office of County Assessor in Calaveras County ;

Also, passed Assembly bill No. 463, an Act amendatory of an Act concerning roads and highways in certain counties ;

Also, passed Assembly bill No. 470, an Act relating to the Board of Supervisors of the Counties of Napa and Mendocino ;

Also, passed Assembly bill No. 436, an Act supplementary to an Act entitled an Act to fund the indebtedness of Calaveras County ;

Also, indefinitely postponed Assembly bill No. 456, an Act to authorize the Board of Supervisors of Santa Clara County to sell and dispose of the stock of said county in the San Francisco and San José Railroad Company ;

Also, indefinitely postponed Assembly bill No. 270, an Act for the building and improvement of certain roads in the County of Monterey.

A. W. BISHOP,

Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendments to Assembly bill No. 443, above reported.

The House amended and concurred in Senate amendment to Assembly bill No. 468, above reported.

The House concurred in Senate amendment to Assembly amendment to Senate bill No. 372, above reported.

Senate bill No. 164, above reported, read first and second times, and ordered to General File.

Senate bill No. 406, above reported, read first and second times, and ordered to General File.

Senate bill No. 397, above reported, read first and second times, and ordered to General File.

Senate bill No. 390, above reported, read first and second times, and ordered to General File.

Senate bill No. 360, above reported, read first and second times, and ordered to General File.

Senate bill No. 410, above reported, read first and second times, and ordered to General File.

Senate bill No. 238, above reported, read first and second times, and ordered to General File.

Senate bill No. 429, above reported, read first and second times, and ordered to General File.

GENERAL FILE.

Assembly bill No. 325, an Act to provide for the enrolment of the militia, the organization and discipline of the National Guard of the State of California, and for the public defence.

Mr. Martin moved the previous question.

On which, the ayes and noes were demanded, by Messrs. Wright, Lux, and Wiley, and the previous question was sustained, by the following vote :

AYES—Messrs. Allen, Alley, Badlam, Buffum, Campbell of El Dorado, Castro, Clayton, Devoe, Dow, Dutton, Green, Hartsough, Hittell, Johnson, Kewen, Martin, Perley, Rhoads, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Teare, Tukey, Wilcox, Wilsey, and Whallon—27.

NOES—Messrs. Beaman, Bowman, Brooks, Brown of Amador, Camp-

bell of San Francisco, Cherry, Dickinson, Dodson, Fraser, Hill, Hubbard, Hunt, Hirst, Langdon, Littlefield, Ludlow, Lux, McColliam, Scott of Siskiyou, Sumner, Walker of Alameda, Wiley, Winchester, Wood, and Wright—25.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Scott of Siskiyou, Lux, and Wright, and taken, with the following result :

AYES—Messrs. Allen, Alley, Beaman, Bowman, Brooks, Buffum, Castro, Cherry, Dodson, Dow, Dutton, Erkson, Fraser, Green, Hill, Hubbard, Hunt, Johnson, Langdon, Ludlow, Martin, McColliam, Owen, Perley, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Tukey, Walker of Alameda, Wilcox, Wilsey, Winchester, Wood, and Wright—38.

NOES—Messrs. Boulware, Campbell of El Dorado, Campbell of San Francisco, Clayton, Devoe, Dickinson, Hittell, Hirst, Kewen, Littlefield, Lux, Sepulveda, Smith of Sonoma, Wiley, and Whallon—15.

The bill was ordered transmitted to the Senate.

Assembly bill No. 361, an Act amendatory of and supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two.

Mr. Weston moved to insert a lengthy amendment.

The House so ordered, and passed the bill as amended.

Senate bill No. 266, an Act to authorize corporations organized in this State for the purpose of mining in or without this State, to establish and maintain transfer agencies in other States—rules suspended, read third time, and passed.

Senate bill No. 333, an Act to regulate metallurgic works and manufacturing of acids.

Mr. Dyer moved to add as follows :

“ Nothing in this Act shall apply to Calaveras, Tuolumne, and Mono Counties.”

Adopted.

On motion of Mr. Martin, the bill was then indefinitely postponed.

Senate bill No. 388, an Act amendatory of and supplementary to an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three.

Mr. Wright offered an amendment.

Mr. Hittell moved the previous question.

The House did not sustain the motion.

On adopting the amendment, the ayes and noes were demanded, by Messrs. Martin, Wilsey, and Wood, and it was adopted, by the following vote :

AYES—Messrs. Alley, Badlam, Beaman, Brown of Amador, Brown of Tulare, Campbell of El Dorado, Campbell of San Francisco, Castro, Devoe, Dickinson, Fraser, Hartsough, Hill, Hittell, Hubbard, Johnson, Langdon, Littlefield, Martin, McColliam, Mebius, Owen, Parker, Perrin,

Personette, Rhoads, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Walker of Fresno, Wason, Weston, Wilsey, Winchester, Whallon, and Wright—37.

NOES—Messrs. Allen, Bowman, Boulware, Brooks, Buffum, Cherry, Dodson, Dow, Dutton, Erkson, Gray, Hunt, Kendrick, Ludlow, Lux, Perley, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Wilcox, and Wood—23.

General John A. Sutter being present in the Chamber, Mr. Speaker invited him to be seated beside the rostrum.

Mr. Wood offered the following amendment: Amend section two by striking out all after the word "company," in line forty-four.

Adopted.

Mr. Martin moved the indefinite postponement of the bill.

On which, the ayes and noes were demanded, by Messrs. Martin, Wood, and Scott of Siskiyou, and the House so ordered, by the following vote:

AYES—Messrs. Allen, Alley, Beaman, Bowman, Boulware, Brooks, Brown of Tulare, Buffum, Cherry, Clayton, Dickinson, Dow, Dutton, Erkson, Gray, Hittell, Hubbard, Hunt, Kendrick, Kewen, Ludlow, Lux, McColliam, Owen, Personette, Sepulveda, Smith of Sonoma, Snyder, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Wilcox, and Wood—36.

NOES—Messrs. Badlam, Brown of Amador, Campbell of El Dorado, Campbell of San Francisco, Castro, Devoe, Dodson, Dyer, Fraser, Hartsough, Hill, Hirst, Johnson, Langdon, Littlefield, Martin, Parker, Redfield, Rhoads, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Wilsey, Winchester, Whallon, and Wright—26.

Senate bill No. 207, an Act to establish pilots and pilot regulations for the ports of San Francisco, Mare Island, and Benicia.

Mr. Campbell of San Francisco offered a series of amendments.

Mr. Beaman moved the previous question.

On sustaining the motion, the ayes and noes were demanded, and taken, with the following result:

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Castro, Clayton, Devoe, Dutton, Dyer, Erkson, Gray, Hittell, Hirst, Kendrick, Kewen, Martin, Mebius, Owen, Perley, Perrin, Personette, Redfield, Scott of Alameda, Smith of Nevada, Smith of Sonoma, Snyder, Wilcox, Winchester, Whallon, and Wright—34.

NOES—Messrs. Alley, Brooks, Campbell of San Francisco, Cherry, Dickinson, Dodson, Dow, Fraser, Hartsough, Hill, Hubbard, Hunt, Johnson, Langdon, Littlefield, Ludlow, Lux, McColliam, Parker, Rhoads, Rule, Scott of Siskiyou, Sepulveda, Sumner, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Weston, Wiley, and Wilsey—32.

On adopting the first amendment of Mr. Campbell, the ayes and noes were demanded, by Messrs. Wilsey, Lux, and Wilcox, and the House refused to adopt, by the following vote:

AYES—Messrs. Alley, Brooks, Brown of Amador, Campbell of San Francisco, Cherry, Dodson, Hartsough, Hill, Hubbard, Hunt, Hirst, Johnson,

Langdon, Littlefield, Ludlow, Lux, McColliam, Parker, Scott of Siskiyou, Sumner, Walker of Alameda, Weston, Wiley, and Wright—24.

NOES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Castro, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Erkson, Fraser, Gray, Green, Hittell, Kendrick, Kewen, Martin, Mebius, Owen, Perley, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, and Whallon—42.

The second amendment was rejected.

On adopting the third amendment, the ayes and noes were demanded, by Messrs. Wiley, Hill, and Dodson, and taken, with the following result:

AYES—Messrs. Alley, Brooks, Campbell of San Francisco, Cherry, Dodson, Dow, Fraser, Gray, Hartsough, Hill, Hunt, Hirst, Johnson, Langdon, Littlefield, Ludlow, Lux, McColliam, Parker, Scott of Siskiyou, Sumner, Walker of Alameda, Weston, Wiley, and Wright—25.

NOES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Tulare, Castro, Clayton, Devoe, Dickinson, Dutton, Dyer, Erkson, Green, Hittell, Kendrick, Kewen, Martin, Mebius, Owen, Perley, Personette, Redfield, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, and Whallon—37.

On adopting the fourth amendment, the ayes and noes were demanded, by Messrs. Campbell of San Francisco, Allen, and Martin, and it was rejected, by the following vote:

AYES—Messrs. Alley, Brooks, Campbell of San Francisco, Cherry, Dodson, Gray, Hartsough, Hill, Hubbard, Hunt, Hirst, Johnson, Littlefield, Ludlow, Lux, McColliam, Parker, Smith of Nevada, Sumner, Walker of Alameda, Weston, Wiley, and Wright—23.

NOES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Castro, Clayton, Devoe, Dickinson, Dow, Dutton, Dyer, Erkson, Fraser, Green, Hittell, Kendrick, Kewen, Langdon, Martin, Mebius, Owen, Perley, Redfield, Rhoads, Scott of Alameda, Scott of Siskiyou, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, and Whallon—40.

On adopting the fifth amendment, the ayes and noes were demanded, by Messrs. Campbell of San Francisco, Alley, and McColliam, and it was lost, by the following vote:

AYES—Messrs. Alley, Brooks, Campbell of San Francisco, Cherry, Dow, Hartsough, Hill, Hunt, Johnson, Langdon, Littlefield, Ludlow, Lux, McColliam, Parker, Sumner, Walker of Alameda, and Weston—18.

NOES—Messrs. Allen, Badlam, Boulware, Brown of Tulare, Campbell of El Dorado, Castro, Clayton, Devoe, Dickinson, Dutton, Dyer, Gray, Green, Hittell, Kendrick, Kewen, Martin, Mebius, Owen, Perley, Redfield, Rhoads, Scott of Alameda, Sepulveda, Smith of Sonoma, Snyder, Teare, Tukey, Walker of Fresno, Wason, Wilcox, Wilsey, Winchester, Whallon, and Wright—35.

The sixth amendment was rejected.

The seventh amendment was rejected.

On ordering the bill to be read third time, the ayes and noes were demanded, by Messrs. Lux, Wiley, and McColliam, and it was so ordered, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Tulare, Campbell of El Dorado, Castro, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Erkson, Gray, Green, Hartsough, Hittell, Hubbard, Kendrick, Kewen, Lux, Martin, Mebius, Perley, Personette, Rhoads, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Wason, Wilcox, Wilsey, Whallon, and Wright—40.

NOES—Messrs. Alley, Brooks, Campbell of San Francisco, Cherry, Fraser, Hill, Hunt, Johnson, Langdon, Littlefield, Ludlow, McColliam, Parker, Sumner, Walker of Alameda, and Wiley—16.

Mr. Wilcox moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Campbell of San Francisco, McColliam, and Hill, and at five o'clock and fifteen minutes P. M., the House agreed, by the following vote :

AYES—Messrs. Allen, Alley, Beaman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Castro, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Fraser, Hartsough, Hittell, Kendrick, Kewen, Langdon, Lux, Martin, Mebius, Perley, Perrin, Personette, Rhoads, Rule, Scott of Alameda, Sepulveda, Smith of Sonoma, Teare, Tukey, Walker of Fresno, Wason, Weston, Wilcox, Wilsey, Winchester, Whallon, and Wright—42.

NOES—Messrs. Badlam, Brooks, Campbell of El Dorado, Campbell of San Francisco, Cherry, Erkson, Gray, Green, Hubbard, Hunt, Johnson, Littlefield, Ludlow, McColliam, Parker, Redfield, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Walker of Alameda, and Wood—22.

THIRD EVENING SESSION.

Pursuant to resolution passed this day, the House convened at seven o'clock P. M.

Speaker in the Chair.

Roll called.

Quorum present.

Mr. Littlefield, from the Committee on Public Expenditures and Accounts, had leave to make the following report :

Mr. SPEAKER :—Your Committee on Public Expenditures and Accounts, having examined and found correct, the following bill, beg leave to report the same, and recommend the adoption of the accompanying resolution :

| | |
|---|---------|
| A. C. & W. Bidwell, for wood and coal | \$17 00 |
|---|---------|

Resolved, That the Controller of State be and he is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Assembly, in favor of A. C. & W. Bidwell, for seventeen dollars.

LITTLEFIELD, for Committee.

Adopted.

GENERAL FILE.

Senate bill No. 207, an Act to establish Pilots and pilot regulations for the Ports of San Francisco, Mare Island, and Benicia.

Mr. Hittell moved the previous question.

Sustained.

On the passage of the bill, the ayes and noes were demanded, by Messrs. Campbell of San Francisco, McColliam, and Alley, and the bill passed, by the following vote :

AYES—Messrs. Allen, Badlam, Beaman, Boulware, Brown of Tulare, Buffum, Campbell of El Dorado, Castro, Cherry, Clayton, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Fraser, Gray, Green, Hittell, Kendrick, Kewen, Lux, Martin, Mebius, Perley, Personette, Rhoads, Scott of Alameda, Sepulveda, Smith of Nevada, Smith of Sonoma, Snyder, Teare, Tukey, Wason, Weston, Wilcox, Wilsey, Winchester, Whallon, and Wright—42.

NOES—Messrs. Alley, Brooks, Campbell of San Francisco, Hill, Hubbard, Hunt, Langdon, McColliam, Parker, and Walker of Alameda—10.

Senate bill No. 230, an Act amendatory of and supplementary to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one.

On the adoption of the amendments reported by the committee, the ayes and noes were demanded by Messrs. Campbell of San Francisco, Wood, and Smith of Nevada, and the House refused to adopt, by the following vote :

AYES—Messrs. Alley, Campbell of San Francisco, Castro, Dodson, Hill, Hunt, Littlefield, Lux, Rhoads, Scott of Siskiyou, Teare, Tukey, Walker of Alameda, and Whallon—14.

NOES—Messrs. Allen, Badlam, Bowman, Boulware, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Cherry, Clayton, Devoe, Dickinson, Dow, Dutton, Erkson, Fraser, Gray, Green, Hart-sough, Hittell, Hubbard, Johnson, Kendrick, Kewen, Langdon, Martin, McColliam, Mebius, Parker, Perley, Perrin, Redfield, Scott of Alameda, Sepulveda, Smith of Nevada, Snyder, Sumner, Walker of Fresno, Wilcox, Wilsey, Winchester, Wood, and Wright—41.

The rules were suspended, the bill read third time, and passed.

Mr. Allen, from the Committee of Free Conference on the appropriation bill, made the following report :

MR. SPEAKER:—The Committee of Free Conference on the disagreeing vote of the two Houses on certain amendments made by the Senate to Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the thirtieth day of July, A. D. eighteen hundred and sixty-four, and ending on the thirtieth day of June, eighteen hun-

dred and sixty-six, after having freely conferred together, report and recommend as follows:

That the House concur in the first Senate amendment non-concurred in ;

That the Senate recede from the second amendment non-concurred in, and that the two Houses adopt the following in lieu thereof—insert at the end of line two hundred and thirty-six the words “fifteen thousand dollars;”

That the Senate recede from the third amendment non-concurred in, and that the two Houses adopt the following in lieu thereof—add at close of section one the following words: “For Boys’ Orphan Asylum, near San Rafael, Marin County, two thousand dollars”

ALLEN,
REDFIELD,
DODSON.

House Committee ;

EVANS,
BUCKLEY,
CUNNINGHAM,

Senate Committee.

Senate bill No. 21, an Act to amend an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty three—*indefinitely postponed.*

Senate bill No. 271, an Act to legalize the assessments for taxes for the revenue years, commencing on the first Monday of March, in the years A. D. eighteen hundred and sixty-two, and A. D. eighteen hundred and sixty-three, in the several counties of this State—rules suspended, read third time, and passed.

Senate bill No. 395, an Act supplementary to an Act entitled an Act to prevent the destruction of timber on Public Lands of this State, approved March second, eighteen hundred and sixty-four—rules suspended, read third time, and passed.

Senate bill No. 339, an Act regulating the assessment and taxation of railroads and other roads, for revenue purposes—rules suspended, read third time, and passed.

Senate bill No. 396, an Act to confer further powers upon the Governor of this State in relation to the pardon of criminals—rules suspended, read third time, and passed.

Senate bill No. 305, an Act supplemental to and amendatory of an Act entitled an Act for the education and care of the indigent Deaf, Dumb, and Blind in the State of California—rules suspended, read third time, and passed.

Senate bill No. 367, an Act concerning the offices of Clerk and Recorder—rules suspended, read third time, and passed.

Assembly bill No. 421, an Act concerning the insane of California—*indefinitely postponed.*

Senate bill No. 276, an Act to create the office of State Geologist, and to define the duties thereof—considered in Committee of the Whole, (Mr. Dodson in the Chair.)

Reported and recommended, read third time, and passed.

IN ASSEMBLY.

Senate bill No. 438, an Act authorizing the Yuba Railroad Company to change its northern terminus—read third time, and passed

Senate bill No. 345, an Act amendatory of and supplemental to an Act to tax foreign insurance companies doing business in this State, approved April fifteenth, eighteen hundred and sixty-two—read third time, and passed.

Senate bill No. 322, an Act supplemental to an Act entitled an Act to authorize the sale and conveyance to the South San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco, approved April twenty-third, eighteen hundred and sixty-three—read third time, and passed.

Senate bill No. 312, an Act to amend an Act entitled an Act concerning corporations, approved April twenty-second, eighteen hundred and fifty.

Mr. Brooks moved the indefinite postponement of the bill.

The motion prevailed.

Senate bill No. 320, an Act to appropriate money to pay the claim of I. & S. Wormser—considered in Committee of the Whole, (Mr. Badlam in the Chair.)

IN ASSEMBLY.

The Committee rose and reported the bill, recommending its indefinite postponement.

Mr. Snyder moved the indefinite postponement of the bill.

On which, the ayes and noes were demanded, by Messrs. Lux, Kewen, and Wilcox, and the motion was lost, by the following vote :

AYES—Messrs. Boulware, Hartsough, Littlefield, McColliam, Parker, Perley, Redfield, Scott of Alameda, Scott of Siskiyou, Smith of Nevada, Snyder, Sumner, Tukey, Weston, and Wood—15.

NOES—Messrs. Badlam, Beaman, Bowman, Brown of Amador, Brown of Tulare, Buffum, Campbell of El Dorado, Castro, Cherry, Devoe, Dickinson, Dodson, Dow, Dutton, Dyer, Fraser, Gray, Hill, Hittell, Hubbard, Johnson, Kendrick, Kewen, Lux, Martin, Mebius, Perrin, Rhoads, Smith of Sonoma, Teare, Walker of Alameda, Walker of Fresno, Wilcox, Whalton, and Wright—35.

On motion of Mr. Wilcox, the rules were suspended, and the bill read third time, and passed.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 389, an Act to amend an Act entitled an Act to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 440, an Act granting to certain parties the right to construct a macadamized road within the City and County of San Francisco ;

Also, Assembly bill No. 419, an Act fixing the time of holding the County Court and Probate Court in the County of Calaveras ;

Also, Assembly bill No. 347, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-eighth, eighteen hundred and sixty ;

Also, Assembly bill No. 427, an Act relating to the First Judicial District, and to fix the time of holding the Courts in said district;

Also, Assembly bill No. 76, an Act to establish and maintain Public Pounds for the better securing of estrays and other stock in the County of San Joaquin;

Also, Assembly bill No. 459, an Act amendatory of an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador, approved April twenty-fifth, eighteen hundred and sixty-two;

Also, Assembly bill No. 307, an Act to establish Police regulations for the harbor of the City and County of San Francisco, and to authorize and empower the Board of Supervisors to regulate the same;

Also, Assembly bill No. 415, an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 395, an Act to settle the title to lands in the Village and Town of Branciforte, in the County of Santa Cruz;

Also, Assembly bill No. 466, an Act amendatory of and supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty;

Also, Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three;

Also, Assembly bill No. 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 464, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer;

Also, Assembly bill No. 454, an Act to legalize the official bond of J. W. Dickinson, Treasurer of Placer County;

Also, Assembly bill No. 414, an Act to amend an Act entitled an Act concerning hogs running at large in the County of Solano;

And on this second day of April, at eleven o'clock and fifteen minutes A. M., delivered the same to the Governor for his approval.

REDFIELD, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 248, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State;

Also, Assembly bill No. 402, an Act to grant the San Francisco Cordage Company the right to construct a wharf in the Bay of San Francisco;

Also, Assembly bill No. 73, an Act concerning the salary of the County Judge of Los Angeles County;

Also, Assembly bill No. 166, an Act condemning parts of certain streets adjacent to the Insane Asylum in the City of Stockton for Asylum purposes;

Also, Assembly bill No. 430, an Act to amend an Act entitled an Act concerning lawful fences, approved April twenty-seventh, eighteen hundred and fifty-five;

Also, Assembly bill No. 444, an Act to amend an Act entitled an Act

for the protection of game, passed May thirteenth, eighteen hundred and fifty-four, as amended by an Act approved April seventeenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 364, an Act concerning moneys deposited in Courts of record in this State;

Also, Assembly bill No. 401, an Act to prevent the trespassing of hogs, sheep, and goats, upon private property in the County of Calaveras;

Also, Assembly bill No. 233, an Act amendatory of and supplementary to an Act passed March twenty-third, eighteen hundred and fifty, to regulate elections;

Also, Assembly bill No. 294, an Act to provide for the publication and distribution of the annual reports of the State officers;

Also, Assembly bill No. 338, an Act concerning jurors in Plumas County;

Also, Assembly bill No. 469, an Act to appropriate money to pay for remounting a battery of guns;

Also, Assembly bill No. 323, an Act to enforce the collection of poll taxes;

Also, Assembly bill No. 400, an Act to grant the right to construct a turnpike road from the Town of Searsville, in the County of San Mateo, to the Town of Pescadero, in the County of Santa Cruz;

Also, Assembly bill No. 443, an Act supplementary to an Act entitled an Act to make certain offices in the County of Calaveras salaried offices, approved April twenty-fifth, eighteen hundred and sixty-three;

Also, Assembly bill No. 352, an Act amendatory of and supplemental to an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two;

Also, Assembly bill No. 455, an Act to incorporate the Town of Markleeville;

And on this second day of April, at nine o'clock P. M., delivered the same to the Governor for his approval.

REDFIELD, Chairman.

GENERAL FILE RESUMED.

Senate bill No. 435, an Act to authorize the Board of Supervisors of the County of El Dorado to subscribe one hundred thousand dollars, in addition to the amount heretofore subscribed by said county, to the capital stock of the Placerville and Sacramento Valley Railroad Company, and to provide for the payment of the same, and other matters relating thereto—amendments adopted, rules suspended, read third time, and passed.

Senate bill No. 33, an Act concerning corporations formed for canal and ditch purposes—laid on the table.

Assembly concurrent resolution No. 45, relative to Reddies' map—laid on the table.

Senate bill No. 114, an Act amendatory of an Act to regulate elections, approved March twenty-third, eighteen hundred and fifty—indefinitely postponed.

Senate bill No. 379, an Act amendatory of and supplementary to an Act entitled an Act providing for the government of the County of Sacramento, approved April twenty-fifth, eighteen hundred and sixty-three—indefinitely postponed.

Senate bill No. 282, an Act concerning the fees of jurors and witnesses

in the City and County of San Francisco—rules suspended, read third time, and passed.

Senate bill No. 414, an Act to provide for the construction of a turn-pike road in Santa Clara and Santa Cruz Counties—rules suspended, read third time, and passed.

Senate bill No. 415, an Act for the improvement of Napa County, by providing means for the establishment of an Agricultural Society and the State Agricultural College therein—rules suspended, read third time, and passed.

Senate bill No. 416, an Act supplemental to an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty-four, and repealing certain other Acts in relation to said city—rules suspended, read third time, and passed.

Senate bill No. 440, an Act to enable the Sonora and Mono Wagon Road Commissioners to settle with the Counties of San Joaquin, Tuolumne, Mono, and Stanislaus—rules suspended, read third time, and passed.

Senate bill No. 417, an Act to authorize the City Council of the City of Oakland to improve the streets, lanes, alleys, courts, and places, in the said city—rules suspended, read third time, and passed.

Senate bill No. 261, an Act to authorize the issuance of a duplicate of a certain School Land warrant to Hans Rohner—rules suspended, read third time, and passed.

Senate bill No. 359, an Act to amend section three hundred and forty-three of the Act entitled an Act to regulate proceedings in criminal cases, passed May first, eighteen hundred and fifty-one.

Mr. Snyder moved to indefinitely postpone the bill.

Mr. Boulware moved the previous question.

The ayes and noes were demanded, by Messrs. Hittell, Whallon, and Allen, and the motion was lost, by the following vote:

AYES—Messrs. Allen, Beaman, Boulware, Campbell of El Dorado, Campbell of San Francisco, Dodson, Dow, Erkson, Green, Hirst, Johnson, Lux, Smith of Nevada, Teare, Tukey, Walker of Alameda, Walker of Fresno, Wason, Wilsey, Whallon, and Wright—21.

NOES—Messrs. Badlam, Bowman, Brown of Amador, Buffum, Clayton, Devoe, Dutton, Dyer, Fraser, Gray, Hill, Hittell, Hubbard, Langdon, Littlefield, Martin, McColliam, Perley, Perrin, Rhoads, Scott of Alameda, Scott of Siskiyou, Snyder, Sumner, Weston, Wilcox, Winchester, Wood, and Mr. Speaker—32.

The bill was ordered read third time.

Mr. Scott moved to reconsider the vote whereby the House passed Senate bill No. 417.

The motion prevailed, an amendment was adopted, and the bill again read third time, and passed.

Senate bill No. 432, an Act to appropriate money for deficiency in appropriation for per diem and mileage of Senators for the fifteenth fiscal year—considered in Committee of the Whole, (Mr. Winchester in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, read third time, and passed.

Senate bill No. 428, an Act in relation to the Board of Supervisors of the County of Butte, to define their duties, and other matters relating thereto, and to reduce public expenses and taxation in said county—rules suspended, read third time, and passed.

Assembly bill No. 194, an Act amending section fifteen of an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two—indefinitely postponed.

Assembly bill No. 284, an Act to appropriate funds for the defence of the State—indefinitely postponed.

Assembly bill No. 201, an Act providing for the arming and equipment of the Sacramento Sharpshooters with Henry's repeating rifles—indefinitely postponed.

Assembly bill No. 257, an Act granting bounties to California Volunteers—indefinitely postponed.

Senate bill No. 174, an Act to authorize the Board of Supervisors of San Joaquin County to levy and collect a special tax for the liquidation of the remaining debt of the San Joaquin Valley Agricultural Society.

Mr. Perley offered an amendment.

Mr. Beaman moved the previous question.

Sustained

On adopting the amendment, the ayes and noes were demanded, by Messrs Perley, Teare, and Lux, and no quorum voting, the amendment was adopted by a viva voce vote.

The bill was ordered to third reading.

Senate bill No. 238, an Act concerning the State revenue—rules suspended, read third time, and passed.

Senate bill No. 360, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-two—rules suspended, read third time, and passed.

Senate bill No. 390, an Act to authorize Rodman Gibbons and his associates and assigns to construct a wharf at Point San Quentin, in San Francisco—read third time, and passed.

Senate bill No. 397, an Act to amend an Act concerning estray animals, approved April nineteenth, eighteen hundred and fifty-six—read third time, and passed.

Senate bill No. 406, an Act to extend the time for the completion of a wharf in the City and County of San Francisco, etc—read third time, and passed.

Senate bill No. 410, an Act for the relief of W. W. Price—read third time, and passed.

Senate bill No. 429, an Act to provide the County Judge of Trinity County with the Supreme Court Reports of the State of California—read third time, and passed.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
April 2d, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Senate bill No. 275, an Act relating to elections held by political parties or associations in the City and County of San Francisco;

Also, concurred in Assembly amendments to Senate bill No. 435, an Act to authorize the Board of Supervisors of El Dorado County to subscribe one hundred thousand dollars, in addition to the amount heretofore subscribed by said county, to the capital stock of the Placerville and Sacramento Valley Railroad Company.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 2d, 1864. }

MR. SPEAKER :—The Senate, this day, passed Senate bill No. 409, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco;

Also, by a vote of thirty to six, Assembly bill No. 254, an Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers;

Also, amended and passed by a unanimous vote, Assembly bill No. 256, an Act supplementary to and to amend an Act entitled an Act providing for the time of holding the several Courts of record of this State;

Also, amended and passed, by a vote of twenty-eight to three, Assembly bill No. 255, an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts;

Also, concurred in Assembly amendments to Senate amendment to Assembly bill No. 468, an Act for the better protection of certain records of Napa County;

Also, the Senate amended and concurred in Assembly amendments to Senate amendments to Assembly bill No. 392, an Act supplementary to an Act entitled an Act concerning offices, approved April twenty-second, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 2d, 1864 }

MR. SPEAKER :—The Senate, this day, passed, under a suspension of the rules, Senate bill No. 446, an Act supplementary to an Act entitled an Act amendatory of and supplementary to an Act entitled an Act in relation to the militia of this State, approved April twenty-fourth, eighteen hundred and sixty-two, approved April twenty-fifth, eighteen hundred and sixty-three.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 2d, 1864. }

MR. SPEAKER :—The Senate, this day, adopted Senate concurrent resolution No. 33, relative to harbor protection of Monterey.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 2d, 1864 }

MR. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, unanimously adopted the report of the Committee of Free

Conference on the disagreeing vote on Assembly bill No. 176, an Act making appropriations for the sixteenth and seventeenth fiscal years.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 2d, 1864. }

Mr. SPEAKER:—The Senate, this day, amended and passed Assembly bill No. 361, an Act amendatory of and supplementary to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 2d, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Assembly bill No. 277, an Act to amend the revenue law;

Also, amended and concurred in Assembly concurrent resolution No. 43, authorizing the payment of expenses of the committee appointed to investigate the matter of the destruction of a battery of artillery by fire;

Also, adopted Senate concurrent resolution No. 34, relative to the adjournment of the Legislature;

Also, passed Senate bill No. 304, an Act to amend an Act entitled an Act defining the rights of husband and wife;

Also, passed Senate bill No. 279, an Act to amend an Act entitled an Act to provide for the formation of corporations for the accumulation and investment of funds and savings;

Also, passed Senate bill No. 405, an Act to create a Board of Water Commissioners in Tulare County;

Also, passed Senate bill No. 376, an Act for the relief of the companies of the Fifth Brigade of the organized militia of the State of California.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 2d, 1864 }

Mr. SPEAKER:—The Senate, this day, passed Senate bill No. 321, an Act concerning Judges, Inspectors, and Clerks of Election in San Diego County;

Also, passed Senate bill No. 426, an Act to change and fix the time of holding the Probate Court in the County of San Bernardino;

Also, passed Senate bill No. 420, an Act to appropriate money to pay the claim of B. N. Bugbey;

Also passed Assembly bill No. 379, an Act to enforce the collection of road taxes in Yuba County;

Also, passed Assembly bill No. 363, an Act to pay the claim of E. C. Palmer for rent and stationery;

Also, passed Senate bill No. 340, an Act to amend an Act entitled an Act concerning the office of Attorney-General.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 2d, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 369, an Act amendatory of an Act entitled an Act to provide for the appointment of a Gauger for the Port of San Francisco;

Also, amended and passed Assembly bill No. 186, an Act to audit and allow a certain claim.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 2d, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 343, an Act to provide for the consolidation of railroad companies, and other matters in relation thereto;

Also, refused to pass Assembly bill No. 411, an Act supplemental to an Act entitled an Act to amend an Act relating to corporations.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 2d, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 346, an Act to authorize mining corporations to increase or diminish the number of their Trustees

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 2d, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, this day, passed Senate bill No. 243, an Act to exclude traitors and alien enemies from the Courts of justice of this State.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
April 2d, 1864. }

Mr. SPEAKER :—I am instructed to inform the Assembly that the Senate, this day, amended and passed Assembly bill No. 451, an Act amendatory of an Act to authorize D. B. Northrup, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved April twenty-fourth, eighteen hundred and sixty-three.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
April 2d, 1864 }

Mr. SPEAKER :—The Senate, this day, concurred in Assembly amendment to Senate bill No. 417, an Act supplemental to an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Oakland, passed March twenty-fifth, eighteen hundred and fifty four.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
 April 2d, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Assembly bill No. 465, an Act to provide for the saving and transfer of causes pending in the District Court in and for the County of Contra Costa.

A. W. BISHOP,
 Assistant Secretary.

CONSIDERATION OF SENATE MESSAGES.

The House concurred in Senate amendments to Assembly bill No. 186, above reported.

The House concurred in Senate amendments to Assembly bill No. 255, above reported.

The House concurred in Senate amendments to Assembly bill No. 361, above reported.

The House concurred in Senate amendments to Assembly bill No. 392, above reported.

The House concurred in Senate amendments to Assembly bill No. 451, above reported.

The House concurred in Senate amendments to Assembly concurrent resolution No. 43, above reported.

The House concurred in Senate concurrent resolution No. 33, above reported.

The House concurred in Senate concurrent resolution No. 43, above reported.

Senate bill No. 446, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 409, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 304, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 279, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 405, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 376, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 340, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 321, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 426, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 420, above reported, read first and second times, and considered in Committee of the Whole, (Mr. Winchester in the Chair.)

IN ASSEMBLY.

Reported and recommended, rules suspended, read third time, and passed.

Senate bill No. 369, above reported, returned to file.

Senate bill No. 346, above reported, read first and second times, and ordered to General File.

Senate bill No. 343, above reported, read first and second times, and ordered to General File.

Senate bill No. 275, above reported, read first and second times, and ordered to General File.

Senate bill No. 243, above reported, read first and second times, and ordered to General File.

Mr. Winchester moved to suspend the rules and take up Senate bill No. 359.

Oh which, the ayes and noes were demanded, by Messrs. Winchester, Lux, and Dodson, and taken, with the following result :

AYES—Messrs. Badlam, Beaman, Brooks, Campbell of El Dorado, Clayton, Devoe, Dow, Dyer, Fraser, Gray, Green, Hill, Hittell, Hubbard, Johnson, Langdon, Littlefield, Martin, McColliam, Parker, Perley, Scott of Siskiyou, Smith of Nevada, Sumner, Wason, Wilcox, Winchester, and Wood—28

NOES—Messrs. Allen, Buffum, Campbell of San Francisco, Dodson, Tukey, Walker of Alameda, Walker of Fresno, and Wilsey—8.

Mr. Dodson moved to adjourn.

On which, the ayes and noes were demanded, by Messrs. Martin, Tukey, and Allen, and taken, with the following result :

AYES—Messrs. Allen, Bowman, Boulware, Campbell of San Francisco, Dodson, Dow, Dutton, Hubbard, and Whallon—9.

NOES—Messrs. Badlam, Beaman, Brooks, Campbell of El Dorado, Cherry, Clayton, Dickinson, Erkson, Gray, Hittell, Hoag, Hirst, Jenison, Johnson, Langdon, Littlefield, Martin, McColliam, Owen, Perley, Perrin, Rhoads, Scott of Siskiyou, Snyder, Sumner, Tukey, Walker of Alameda, Walker of Fresno, Wason, Wilcox, Wiley, Winchester, Wood, and Wright—34.

Mr. Wilcox moved the previous question.

Sustained.

The rules were suspended and Senate bill No. 359 taken up, read third time, and passed.

The Assembly concurred in Senate amendment to Assembly bill No. 256, before reported.

On motion of Mr. Buffum, at twelve o'clock and ten minutes A. M., the House adjourned.

IN ASSEMBLY.

HOUSE OF ASSEMBLY,
Monday, April 4th, 1864. }

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

RESOLUTIONS

The rules were suspended, and Mr. Weston offered a concurrent resolution requesting the Governor to return without approval, in consequence of an error therein, Assembly bill No. 338, an Act concerning jurors in certain counties of this State.

Adopted.

The rules were suspended for a concurrent resolution offered by Mr. Hittell, to authorize the Secretary of State to purchase fifty copies of Wood's Digest for eighteen hundred and sixty, for the State.

Adopted.

Mr. Scott of Alameda presented two affidavits relating to the investigation of the destruction of the battery of guns on the night of March fourteenth.

Mr. Boulware offered a resolution allowing O. C. Wheeler two dollars per day extra for the session.

The rules were suspended, and the resolution adopted unanimously.

Mr. Littlefield presented the following bill and resolution :

SACRAMENTO. }
April 2d, 1864. }

STATE OF CALIFORNIA,

To Sergeant-at-Arms, Assembly,

DR.

| Names. | Amount. |
|---|---------|
| For summoning John Schade | \$2 00 |
| For summoning F. Malone | 2 00 |
| For summoning B. Cahoon | 2 00 |
| For summoning William Siddons | 2 00 |
| For summoning R. L. Robertson | 2 00 |
| For summoning Joshua Baker | 2 00 |
| For summoning Frederick Walters | 2 00 |
| For summoning Robert Robertson | 2 00 |
| For summoning Edward Robertson | 2 00 |
| For summoning Mr. Holmes | 2 00 |
| For summoning John Francis | 2 00 |
| For summoning George A. Beaty | 2 00 |
| For summoning Frank Mackfessel | 2 00 |
| For summoning Doctor Caples | 2 00 |
| For summoning General George Wright | 2 00 |
| For summoning John Schade | 2 00 |
| For summoning Mr. Milan | 2 00 |
| For summoning Mr. Atchins | 2 00 |
| For summoning Mr. Lang | 2 00 |
| For summoning A. W. Bishop | 2 00 |
| For summoning William Richards | 2 00 |
| For summoning C. L. Knowles | 2 00 |
| For summoning Mr. Schmeiser | 2 00 |
| For summoning George Beris | 2 00 |
| For summoning Joshua Baker | 2 00 |
| For summoning John Nelson | 2 00 |
| For summoning William Neely | 2 00 |

| Names. | Amount. |
|---|---------|
| For summoning Mr. McGraw..... | 2 00 |
| For summoning Owen Cronkite..... | 2 00 |
| For summoning John Shelton..... | 2 00 |
| For summoning Mr. Kelly..... | 2 00 |
| For summoning William S. Montgomery..... | 2 00 |
| For summoning D. E. Callahan..... | 2 00 |
| For summoning Captain Lyons..... | 2 00 |
| For summoning H. K. Smith..... | 2 00 |
| Mileage on above, at twenty cents each..... | 7 00 |
| Total..... | \$77 00 |

The above service was rendered in the case of the inquiry concerning the destruction of ordnance by fire at Sacramento on Monday night, March fourteenth, eighteen hundred and sixty-four; therefore,

Resolved, That the Controller be and is hereby authorized to draw his warrant for the above amount.

Adopted

Mr. Rule offered a resolution to allow Philip Groves, Hiram Clock, and James Penny, one dollar extra pay for the session.

Rules suspended, and resolution adopted

Mr. Rule offered a resolution allowing W. N. Slocum fifty dollars for assisting in arranging and returning papers, etc., to the Secretary of State after the adjournment.

Rules suspended, and adopted.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No 467, an Act to provide for a railroad through certain streets therein named in the City of San José;

And report that, owing to the late hour last night when it was received by the committee, we were obliged to defer handing the same to the Governor until this day, April fourth, eighteen hundred and sixty-four.

REDFIELD, Chairman.

Mr. Redfield, Chairman of the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 470, an Act relating to the Boards of Supervisors of the Counties of Napa and Mendocino;

Also, Assembly bill No. 416, an Act to provide for funding the indebtedness of the County of Colusa;

Also, Assembly bill No. 460, an Act to fund the indebtedness of the County of Los Angeles;

Also, Assembly bill No. 277, an Act to amend the revenue law;

Also, Assembly bill No. 463, an Act amendatory of and supplementary

to an Act concerning roads and highways in certain counties of this State, approved April fourteenth, eighteen hundred and sixty-one ;

Also, Assembly bill No. 374, an Act to amend an Act entitled an Act to authorize the sale of certain real estate by Guardians, approved April tenth, eighteen hundred and sixty ;

Also, Assembly bill No. 451, an Act amendatory of an Act to authorize D. B. Northrup, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two, and an Act amendatory thereof ;

Also, Assembly bill No. 168, an Act to audit and allow a certain claim ;

Also, Assembly bill No. 379, an Act to enforce the collection of road taxes in Yuba County ;

Also, Assembly bill No. 256, an Act supplementary to and to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 447, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers ;

Also, Assembly bill No. 254, an Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 436, an Act supplementary to an Act entitled an Act to fund the indebtedness of Calaveras County, approved April twenty-first, eighteen hundred and sixty-three ;

Also, Assembly bill No. 438, an Act supplemental to an Act entitled an Act to amend an Act abolishing the office of County Assessor and establishing the office of Township Assessors in the County of Calaveras, approved April twenty-eighth, eighteen hundred and sixty, approved April twenty-fourth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 361, an Act amendatory of and supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-eighth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 311, an Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and amended April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 363, an Act to pay the claim of E. C. Palmer for rent and stationery ;

Also, Assembly bill No. 465, an Act to provide for the saving and transfer of causes pending in the District Court in and for the County of Contra Costa ;

Also, Assembly bill No. 335, an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved March third, eighteen hundred and sixty-three ;

Also, Assembly bill No. 468, an Act for the better protection of certain records of Napa County ;

Also, Assembly bill No. 255, an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 392, an Act supplementary to an Act entitled an Act concerning officers, approved April twenty-second, eighteen hundred and sixty-three;

Also, Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, A. D. eighteen hundred and sixty-four, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-six;

And on Sunday, April third, eighteen hundred and sixty-four, delivered the same to the Governor for his approval.

The committee have also examined, and found correctly enrolled, Assembly concurrent resolution No. 43, authorizing the payment of expenses of the committee appointed to investigate concerning the causes of the destruction of a battery of artillery on the night of the fourteenth of March, eighteen hundred and sixty-four;

Also, Assembly concurrent resolution No. 44, relative to increase of pay of officers and soldiers of the United States stationed on the Pacific Coast;

Also, Assembly concurrent resolution No. 46, concerning a Joint Convention for the purpose of electing Trustees of the State Reform School;

Also, Assembly concurrent resolution No. 47, requesting the Governor to offer a reward for information that will lead to the conviction of the person who set fire to the building in which was stored the battery of guns destroyed on the night of the fourteenth of March;

Also, Assembly concurrent resolution No. 48, concerning the correction of a clerical error.

REDFIELD, Chairman.

Mr. Perley offered a resolution giving the Clerk of the Committee on Claims one dollar per day extra, from the date of appointment.

Mr. Wright moved to lay on table.

Adopted.

Mr. Wiley offered the following resolution:

Resolved, That the thanks of this House be tendered to A. J. Marsh, Reporter for the Union, and all other Reporters, for the faithful performance of their duty, and uniform courtesy to the members.

Unanimously adopted.

Mr. Dodson offered a resolution, allowing the Minute and Assistant Clerks two dollars extra pay per day.

Laid on table.

Mr. Beaman offered the following resolution:

Resolved, That the thanks of this Assembly are hereby tendered to the Clerks, Sergeant-at-Arms, and other officers and attachés of this body, for the faithful and efficient manner in which they have each discharged the duties of their several offices during the session of this body.

Adopted.

The following resolution was offered:

Resolved, That when we separate, it is with the pleasing satisfaction of having enjoyed uninterrupted harmony and courteous intercourse

with each other during the entire session—a circumstance, it is believed, without precedence in the history of modern legislation.

Adopted.

Mr Cherry made the following report :

Mr. SPEAKER :—The San Francisco delegation, to whom was referred Assembly bills Nos 119, 146, 207, 220, 365, 383, 420, and 450, report the same back to the House without recommendation.

CHERRY, for Delegation.

Mr. Sumner made the following report :

Mr. SPEAKER :—The Butte delegation, to whom was referred Assembly bill No. 68, report the same back, without recommendation.

SUMNER, for Delegation.

Mr. Rule, from the Committee on Enrolment, made the following report :

Mr. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 139, an Act to promote the study of anatomy.

And have this day presented the same to the Governor for his approval.

RULE, for Committee.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
April 4th, 1864. }

Mr SPEAKER :—The Senate, this day, concurred in Assembly concurrent resolution No. 49, relative to Assembly bill No. 338

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER, }
April 4th, 1864. }

Mr. SPEAKER :—I am directed to inform the Assembly that the Senate, on the fifteenth of February, indefinitely postponed Assembly bill No. 172, an Act to extend the time of final payment for certain lands.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER, }
April 4th, 1864. }

Mr SPEAKER :—I am directed to inform the Assembly that the Senate, on the second instant, indefinitely postponed Assembly bill No. 439, an Act concerning the Central Railroad in San Francisco.

CHAS. WESTMORELAND,
Secretary.

SENATE CHAMBER,
April 4th, 1864. }

Mr. SPEAKER:—The Senate, this day, refused to concur in Assembly concurrent resolution No. 50, authorizing the Secretary of State to purchase additional copies of Wood's Digest.

A. W. BISHOP,
Assistant Secretary.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 2d, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 96, an Act to amend an Act entitled an Act granting the right to construct and maintain a railroad in certain streets therein named in the City and County of San Francisco, approved April twenty-third, eighteen hundred and sixty-three ;

Also, Assembly bill No. 329, an Act relating to the establishment of the eastern boundary of the State of California ;

Also, Assembly bill No. 159, an Act to confer additional powers upon the Board of Supervisors of the City and County of San Francisco, and upon the Auditor and Treasurer thereof, and to authorize the appropriation of money by said Board ;

Also, Assembly bill No. 214, an Act to authorize the sale and conveyance to the North San Francisco Homestead and Railroad Association of certain Overflowed Lands in the City and County of San Francisco ;

Also, Assembly bill No. 367, an Act amendatory of an Act entitled an Act to reduce and establish the salaries of officers and pay of members of the Legislature, approved April twenty-first, eighteen hundred and fifty-six ;

Also, Assembly bill No. 190, an Act to authorize the sale and conveyance to the Golden City Homestead Association of certain Overflowed Lands in the City and County of San Francisco ;

Also, Assembly bill No. 104, an Act to amend an Act entitled an Act concerning grand and trial jurors, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 302, an Act to establish the lines and grades of streets in the City and County of San Francisco ;

Also, Assembly bill No. 398, an Act to amend an Act supplementary to an Act to amend an Act to prevent the trespassing of animals upon private property, approved the seventeenth day of May, eighteen hundred and sixty-one, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 429, an Act concerning the office of Public Administrator in the Counties of Shasta and Trinity ;

Also, Assembly bill No. 369, an Act to authorize the Board of Supervisors of Humboldt County to annul certain bonds ;

Also, Assembly bill No. 261, an Act to provide for the construction of a macadamized road in the City and County of San Francisco, and for the collection of tolls thereon ;

Also, Assembly bill No. 435, an Act to repeal a certain Act entitled an Act to authorize the Board of Supervisors of Tehama County to levy a

special tax and create a Redemption Fund for the payment of county indebtedness ;

Also, Assembly bill No. 410, an Act to authorize the Owens River Canal Company to improve the channel of said river ;

Also, Assembly bill No. 403, an Act to fix the amount of the official bonds of the county officers in and for the County of Klamath ;

Also, Assembly bill No. 310, an Act making appropriations for deficiencies in the appropriations made for the fourteenth and fifteenth fiscal years, ending on the thirtieth day of June, eighteen hundred and sixty-four ;

Also, Assembly bill No. 278, an Act for the relief of George Nelson ;

Also, Assembly bill No. 424, an Act to regulate the fees of officers of the County of Trinity ;

Also, Assembly bill No. 359, an Act concerning partnerships for mining purposes ;

Also, Assembly bill No. 191, an Act concerning the records of the District Court of the Seventh Judicial District, in and for Solano County ;

Also, Assembly bill No. 348, an Act to change the name of Charles Erastus Coy to Charles Lyman Snow ;

Also, Assembly bill No. 391, an Act authorizing Samuel Brannan to convey certain lands for cemetery purposes in the City and County of Sacramento ;

Also, Assembly bill No. 461, an Act defining the legal distances from the county seat of Lassen County to the State Capital, Lunatic Asylum, and State Prison ;

Also, Assembly bill No. 445, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-ninth, eighteen hundred and fifty-one ;

Also, Assembly bill No. 380, an Act to fix the time of holding the County Courts and Probate Courts in the Counties of Shasta and Mendocino ;

Also, Assembly bill No. 409, an Act concerning fences in Tuolumne County ;

Also, Assembly bill No. 452, an Act to authorize the Sheriff of San Francisco County to appoint a Matron for the County Jail, and other matters relating thereto ;

Also, Assembly bill No. 428, an Act fixing the salaries of the county officers of the County of Nevada ;

Also, Assembly bill No. 347, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in the Courts of justice in this State, passed April twenty-eighth, eighteen hundred and sixty, and May fifteenth, eighteen hundred and fifty-four ;

Also, Assembly bill No. 440, an Act granting to certain parties the right to construct a macadamized road within the City and County of San Francisco ;

Also, Assembly bill No. 419, an Act fixing the time of holding the County Court and Probate Court in the County of Calaveras ;

Also, Assembly bill No. 76, an Act to establish and maintain Public Pounds for the better securing of estrays and other stock in the County of San Joaquin ;

Also, Assembly bill No. 330, an Act to improve the navigation of the Mokelumne River ;

Also, Assembly bill No. 232, an Act to grant to John M. Dudleston,

D. H. Haskill, and their associates and assigns, the right to construct and maintain a toll road in Mono County ;

Also, Assembly bill No. 323, an Act to enforce the collection of poll taxes ;

Also, Assembly bill No. 443, an Act supplementary to an Act entitled an Act to make certain offices in the County of Calaveras salaried offices, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 469, an Act to appropriate money to pay for remounting a battery of guns ;

Also, Assembly bill No. 455, an Act to incorporate the Town of Markleeville ;

Also, Assembly bill No. 352, an Act amendatory of and supplementary to an Act in relation to liens of mechanics and others, approved April twenty-sixth, eighteen hundred and sixty-two ;

Also, Assembly bill No. 430, an Act to amend an Act entitled an Act concerning lawful fences, approved April twenty-seventh, eighteen hundred and fifty-five ;

Also, Assembly bill No. 402, an Act to grant to the San Francisco Cordage Company the right to construct a wharf in the Bay of San Francisco ;

Also, Assembly bill No. 166, an Act condemning parts of certain streets adjacent to the Insane Asylum in the City of Stockton for Asylum purposes ;

Also, Assembly bill No. 364, an Act concerning moneys deposited in Courts of record of this State ;

Also, Assembly bill No. 233, an Act amendatory of and supplementary to an Act passed March twenty-third, A. D. eighteen hundred and fifty, to regulate elections ;

Also, Assembly bill No. 459, an Act amendatory of an Act entitled an Act creating the offices of Township Collectors and Assessors in the Counties of El Dorado and Amador, approved April twenty-fifth, eighteen hundred and fifty-two ;

Also, Assembly bill No. 427, an Act relating to the First Judicial District, and to fix the time for holding the Courts in said district ;

Also, Assembly bill No. 289, an Act to amend an Act concerning grand and trial jurors, passed April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 454, an Act to legalize the official bond of J. W. Dickinson, Treasurer of Placer County ;

Also, Assembly bill No. 464, an Act to amend an Act entitled an Act concerning roads and highways in the County of Placer ;

Also, Assembly bill No. 354, an Act to extend the provisions of an Act entitled an Act to appropriate funds for the defence of the State, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 414, an Act to amend an Act entitled an Act concerning hogs running at large in the County of Solano ;

Also, Assembly bill No. 395, an Act to settle the title to lands in the Village and Town of Branciforte, in the County of Santa Cruz ;

Also, Assembly bill No. 415, an Act to amend an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 307, an Act to establish police regulations for the Harbor of the City and County of San Francisco, and to authorize and empower the Board of Supervisors to regulate the same ;

Also, Assembly bill No. 389, an Act to amend an Act entitled an Act

to amend an Act to provide for the collection of taxes on personal property in the City and County of San Francisco, approved May ninth, eighteen hundred and sixty-two, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 374, an Act to amend an Act entitled an Act to authorize the sale of certain real estate by Guardians, approved April tenth, eighteen hundred and sixty ;

Also, Assembly bill No. 436, an Act supplementary to an Act entitled an Act to fund the indebtedness of Calaveras County, approved April twenty-first, eighteen hundred and sixty-three ;

Also, Assembly bill No. 363, an Act to pay the claim of E. C. Palmer, for rent and stationery ;

Also, Assembly bill No. 447, an Act to preserve and secure the rights of parties which existed on the thirty-first day of December, eighteen hundred and sixty-three, under and by virtue of the laws then existing and in force concerning forcible entries and unlawful detainers ;

Also, Assembly bill No. 254, an Act to amend an Act entitled an Act concerning the Courts of justice of this State and judicial officers, approved April twentieth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 451, an Act amendatory of an Act to authorize D. B. Northrup, Horace Cole, and E. B. Goddard, and their associates, to construct a plank road or bridge over the waters of Mission Bay, in the City and County of San Francisco, approved April eighteenth, eighteen hundred and sixty-two, and an Act amendatory thereof, approved April twenty-fourth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 186, an Act to audit and allow a certain claim ;

Also, Assembly bill No. 256, an Act supplemental to and to amend an Act entitled an Act providing for the time of holding the several Courts of record in this State, approved April twenty-seventh, eighteen hundred and sixty-three ;

Also, Assembly bill No. 311, an Act to amend an Act concerning roads and highways in the Counties of Tuolumne, San Joaquin, Plumas, and Siskiyou, approved April nineteenth, eighteen hundred and fifty-nine, and amended April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 468, an Act for the better preservation of certain records of Napa County ;

Also, Assembly bill No. 465, an Act to provide for the saving and transfer of causes pending in the District Court in and for the County of Contra Costa ;

Also, Assembly bill No. 335, an Act to amend an Act entitled an Act to amend an Act entitled an Act to provide revenue for the support of the government of this State, approved March third, eighteen hundred and sixty-three ;

Also, Assembly bill No. 255, an Act supplementary to and amendatory of an Act entitled an Act to divide the State into Judicial Districts, approved April twenty-fifth, eighteen hundred and sixty-three ;

Also, Assembly bill No. 470, an Act relating to the Boards of Supervisors of the Counties of Napa and Mendocino ;

Also, Assembly bill No. 392, an Act supplementary to an Act entitled an Act concerning officers, approved April twenty-second, eighteen hundred and sixty-three ;

Also, Assembly bill No. 379, an Act to enforce the collection of road taxes in Yuba County ;

Also, Assembly bill No. 463, an Act amendatory of and supplementary

to an Act concerning roads and highways in certain counties of this State, approved April fourteenth, eighteen hundred and sixty-one;

Also, Assembly bill No. 416, an Act to provide for funding the indebtedness of the County of Colusa;

Also, Assembly bill No. 277, an Act to amend the revenue laws;

Also, Assembly bill No. 460, an Act to fund the indebtedness of the County of Los Angeles;

Also, Assembly bill No. 176, an Act making appropriations for the support of the civil government of this State for the sixteenth and seventeenth fiscal years, commencing on the first day of July, A. D. eighteen hundred and sixty-four, and ending on the thirtieth day of June, A. D. eighteen hundred and sixty-six;

Also, Assembly bill No. 361, an Act amendatory of and supplemental to an Act entitled an Act concerning the Insane Asylum of California, and to levy a tax therefor, approved April twenty-fifth, eighteen hundred and sixth-three;

Also, Assembly bill No. 400, an Act to grant the right to construct a turnpike road between the Town of Searsville, in the County of San Mateo, and the Town of Pescadero, in the County of Santa Cruz;

Also, Assembly bill No. 139, an Act to promote the study of anatomy.

FRED'K F. LOW,
Governor.

Mr. Gray offered the following resolutions:

Resolved, That the Assembly of California, at its fifteenth session, hereby tender to the Chief Clerk, O. C. Wheeler, their thanks for the distinguished ability, strict integrity, and uniform courtesy with which he has discharged his duty, and that this Assembly recognize and acknowledge his untiring efforts to facilitate the business of the session.

Resolved, That this resolution be spread upon the minutes of the Assembly, and that an engrossed copy of the same be signed by the Speaker and the Assistant Clerk, and be presented to said Chief Clerk.

Adopted unanimously.

The Chief Clerk was called on to respond, and addressed the House as follows:

MR. SPEAKER AND GENTLEMEN OF THE ASSEMBLY:—When, four months ago, you—every man of you who was present and voting—cast your votes for me as your Chief Clerk, I felt that that was one of the proudest and best days of my life. I entered upon the duties of this position with a full determination to do all these with all the fidelity, energy, and capacity I possessed. I have been with you at every opening and every closing of every day and evening session, and have not been absent five minutes at any time when the House was in session during the whole one hundred and twenty days. I have no sort of fellowship for mutual admiration societies, or mutual admiration sentiments, but you will please allow me to say that since I aided in the election of the Constitutional Convention of this State, I have seen every legislative and deliberative body the State has had, and have had more or less to do with nearly every one, and I am confident that no legislative body, in either House, would bear any comparison with the Assembly of eighteen hundred and sixty-four for its honest, industrious, straightforward character. In my intercourse with you I have endeavored to act well my part, and I leave this position with the sweet consciousness that every

member believes, as I know, that I have tried to do honestly all my duty, and that there is not in my heart one feeling toward any member generated there by any act or word but those of the most pleasant character. I shall soon, after having been your servant for four months, be your peer. I may have felt, at times when you have been discussing the prospects, the reverses, or the successes of our beloved country, like another when he exclaimed, "My kingdom for a horse!"—as if I would willingly give all I have in the word, little though it be, for fifteen minutes on this floor; yet, in a few days more, I hope to be with you on equal terms, when we shall canvass this State together, and canvass it for the election of another Chief Magistrate—I beg pardon, sir, I mean the *re-election* of the present Chief Magistrate of this nation. My voice shall not then be silent. And if it be your pleasure, fellow-citizens, that I shall meet with you, on the plains or in the mountains, in the forum or on the stump, I will endeavor to so comport myself, as I have endeavored here, as to win your approbation, and also, I trust, the approbation of my God.

PRESENTATION TO THE SPEAKER.

Mr. Campbell of San Francisco, in behalf of the members and attachés of the Assembly, presented to the Speaker a set of silver, with the following remarks:

MR. SPEAKER:—I rise on the present occasion in behalf of the members of this House, without distinction of party, to perform the honorable and pleasing task of expressing to you the sentiments which they entertain of the ability, dignity, and entire impartiality with which you have discharged the honorable and responsible duties which have devolved upon you as the presiding officer of this House.

Four months ago, sir, we, the representatives of the people, assembled in this hall, coming from all parts of the State, almost entire strangers to each other, and without that concert of action which the custom of party heretofore had rendered almost indispensable in the organization of the Assembly. You, sir, were selected from among our number to preside over our deliberations—a position which you have ably and satisfactorily filled.

It may not be deemed inappropriate on the present occasion to speak in brief terms of the relation which has existed between you, as the presiding officer of this House, and the members of which it is composed. In doing so I trust I may be pardoned for saying that in my opinion no legislative body has ever assembled in this State that manifested a greater desire to aid the presiding officer in the business of legislation, and in preserving that order and decorum which is always necessary in the proceedings of every deliberative body, than has been manifested by the body over which you have presided; and the courtesy which has been observed at all times between the members and the Chair has extended to the intercourse which the members on this floor have had with each other.

I believe that I can truthfully say that the members of no body of a similar character have ever treated each other with a higher degree of respect, with more implicit confidence, with a truer spirit of accommodation, or ever unitedly manifested a stronger desire for the public interest, as well as for each other's individual wishes, as has been mani-

feasted in all the deliberations of this Assembly from the first hour of its meeting to the present time. You, sir, can boast of having presided over a body of men more nearly unanimous in their opinions, in their sentiments, in their determination to preserve this great Union, than any other similar body that has ever assembled together since that hour when treason first raised its bloody and detested standard in the land of Washington. And allow me, sir, to say on this occasion, that the Union sentiment of this House and the Union sentiment of this State could have selected no more fitting head to preside over their deliberations than he whom I have the honor of addressing.

Allow me, then, sir, in behalf and in the name of every member on this floor, to present to you this token of our high esteem, our great regard, and our profound admiration for your official character as well as for your personal character; and with it the members of this Assembly present their earnest desire for your future prosperity and happiness, which they devoutly wish may attend you through life.

On this testimonial the following inscription will be placed: "Presented to the Honorable William H. Sears, Speaker of the Assembly of California during the fifteenth session of the Legislature, by the members of the Assembly, as a testimonial of respect for the dignity, ability, and impartiality with which he has performed his duties as Speaker, and as a token of their high regard for him as a man and as a citizen." I present this testimonial to you, sir, in the name of the members of this Assembly.

· RESPONSE OF MR. W. H. SEARS.

Mr. Speaker responded as follows :

FELLOW-MEMBERS OF THE ASSEMBLY :—This beautiful testimonial of your esteem, and the remarks of the gentleman who has just presented it, have almost completely unnerved me. I hardly know how to express to you my thanks in return for this magnificent gift. I promised you when you placed me in this position, that I would endeavor to discharge the duties of it impartially, without fear or favor to any one, and, if you will allow me this remark, I do feel, in my own conscience, that I have kept that pledge. That I have erred on many occasions I do not doubt; but the error has been of the head and not of the heart. During the discussion of excitable questions the Chair may perhaps sometimes have incurred the displeasure of members, but if there is any member here now who entertains any opinion that he has wilfully been partially dealt with by the Chair, I assure him that he is certainly wrong in that opinion.

I return to you my thanks for the generous manner in which you have sustained me in the performance of the duties of the Chair. With you I have endeavored to preserve the order and decorum of the body on all occasions, and I concur in the remark of the gentleman from San Francisco when he says he believes that this Assembly has preserved that order and decorum to a greater degree than any other body that ever preceded it has done. But whenever any member has seen fit, from the patriotic promptings of his heart, to give applause in this Assembly to patriotic sentiments, I have never seen fit to check him. I believe it is always in order for a member to give his sanction by applauding any patriotic sentiments which may be uttered in any place.

The intrinsic value which is contained in this gift is small, in my esti-

mation, in comparison with the sentiment which it conveys, and that is, that by my course this winter I have won your esteem and affection.

To-night we separate and return to our homes. For me, I shall return to my little mountain home, nestled among the pines, and I now extend a cordial invitation to one and all of you to visit me in that place; and, if it should be your pleasure to make that visit, I assure you that the table shall be graced with this testimonial, and we will take tea together in all friendship, and in memory of the pleasant days we have passed together here. Again, gentlemen, I return my sincere thanks to you for this splendid gift.

At half past one o'clock, the House took a recess until three o'clock.

HOUSE RE-ASSEMBLED.

Roll called.

Quorum present.

Mr. Wilsey, Chairman of the Committee on Corporations, made the following report:

MR. SPEAKER:—Your Committee on Corporations, to whom was referred Assembly bills Nos. 394, 240, 434 and 390, beg leave to report the same back, with recommendation that they be placed at top of the file for the next session of the Legislature.

WILSEY, Chairman.

Mr. Campbell of San Francisco, Chairman of the Judiciary Committee, made the following report:

MR. SPEAKER:—The Judiciary Committee, to whom was referred Assembly bill No. 244, have had the same under their consideration, and beg leave respectfully to report the same back, without recommendation;

Also, Assembly bill No. 321, report the same back, without recommendation;

Also, Assembly bill No. 142, report the same back, without recommendation;

Also, Assembly bill No. 260, report the same back, without recommendation;

Also, Assembly bill No. 231, report the same back, without recommendation;

Also, Assembly bill No. 458, report the same back, without recommendation;

Also, Assembly bill No. 314, report the same back, without recommendation;

Also, Assembly bill No. 315, report the same back, without recommendation;

Also, Assembly bill No. 316, report the same back, without recommendation;

Also, Assembly bill No. 317, report the same back, without recommendation;

Also, Assembly bill No. 318, report the same back, without recommendation;

Also, Assembly bill No. 319, report the same back, without recommendation;

Also, Assembly bill No. 320, report the same back, without recommendation;

Also, Senate bill No. 120, with the accompanying petitions, report the same back, without recommendation;

Also, Senate bill No. 249, with the accompanying petitions, report the same back, without recommendation;

Also, Senate bill No. 180, with the accompanying petitions, report the same back, without recommendation;

Also, Senate bill No. 14, with the accompanying petitions, report the same back, without recommendation.

CAMPBELL of San Francisco, Chairman.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate:

SENATE CHAMBER,
April 4th, 1864. }

Mr. SPEAKER :—The Senate, this day, passed, under the suspension of the rules, Senate bill No. 448, an Act authorizing the State Treasurer to settle with Joseph S. Paxson, Treasurer of the City and County of San Francisco; also, suspended the Fifteenth Joint Rule, and the bill ordered to be transmitted to the Governor;

Also, this day, passed Senate bill No. 447, an Act to amend an Act entitled an Act to regulate proceedings in civil cases in Courts of justice of this State, approved April twenty-ninth, eighteen hundred and fifty-one; the Fifteenth Joint Rule also suspended.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 4th, 1864. }

Mr. SPEAKER :—I am directed to request from the Assembly, Assembly bill No. 426, an Act to amend an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, approved May seventeenth, eighteen hundred and sixty-one, for the purpose of consideration, as the engrossed copy has been purloined from the Senate files.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 447, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 448, above reported, read first and second times, rules suspended, read third time, and passed.

The House also concurred in the suspension of Joint Rule Number Fifteen of the Joint Standing Rules of the Assembly.

Mr. Hill offered the following resolution:

Resolved, That the two Copying Clerks, Minute Clerk, Journal Clerk, Enrolling and Engrossing Clerks, and First Assistant Clerk at the desk, be allowed one dollar per day additional pay, and the Controller is hereby authorized to draw his warrant in favor of each of said Clerks for the same, payable out of the Contingent Fund of the Assembly.

Mr. Hubbard offered the following amendment: Amend, by inserting the names of all the Copying and Committee Clerks.

The whole subject was laid on the table.

Mr. Martin offered the following resolution :

Resolved, That the Post Master of the Assembly be and is hereby required to remain in Sacramento ten days after the adjournment and forward to the members all mail matter to their address, for which services he shall receive three dollars per day, and the Controller of State is hereby authorized to draw his warrant and the Treasurer to pay the same.

Mr. Rule moved to amend, by striking out "ten," and inserting "five."

Mr. Teare moved to substitute "forty" for "five."

Mr. Dodson moved to lay on the table.

The motion prevailed.

Mr. Ludlow offered the following resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to purchase a copy of President Lincoln's Emancipation Proclamation, executed in pen sketch by Master Frederick S. Butler, and to suspend the same in some suitable place in this Hall, and that the Controller be directed to draw his warrant in favor of William M. Rider for six dollars as compensation therefor.

Adopted.

At three o'clock and forty-five minutes p. m., the House took a recess until seven o'clock this evening.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the Chair.

Roll called.

Quorum present.

The following resolution was adopted.

Resolved, That a committee of three be appointed by the Chair to wait upon the Governor, and ascertain if he has any message to communicate to the Assembly, and to report the result of the inquiry to this body as early as practicable.

The Speaker appointed Messrs. Buffum, Cherry, and Brown of Amador such committee.

The Speaker presented the following :

To O. C. WHEELER, Esq.,

Chief Clerk of the Assembly :

SIR :—Please inform the Speaker that I respectfully decline performing the duties assigned me by resolution of the Assembly, to finish the copying for Appendix and printer after the adjournment.

L. S. TAYLOR.

The resignation of Mr. Taylor was accepted, and Mr. Cherry offered the following resolution :

Resolved, That O. C. Wheeler, Chief Clerk of the Assembly, is hereby authorized to complete the Appendix of the Assembly, and furnish the State Printer with copies thereof, and the minutes of the House, after adjournment, for which he shall be allowed at the rate of fifteen cents per folio ; and the Secretary of State shall estimate and certify to the same ; upon which certificate, the Controller of State is hereby authorized and directed to draw his warrant, payable out of the Contingent Fund of the Assembly.

Adopted.

Mr. Walker of Alameda offered the following resolution :

Resolved, That L. S. Taylor, Journal Clerk, be and he is hereby allowed five days to complete the Journal ; and the Controller of State is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Assembly, in his favor.

Adopted.

MESSAGES FROM THE SENATE.

The following messages were received from the Senate :

SENATE CHAMBER, }
April 4th, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Assembly bill No. 426, an Act to amend an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, and suspended the Fifteenth Joint Rule, that the same may be transmitted to the Governor for his approval.

A. W. BISHOP,
Assistant Secretary.

The House concurred in suspending the Fifteenth Joint Rule, in accordance with the action of the Senate above reported.

SENATE CHAMBER, }
April 4th, 1864. }

Mr. SPEAKER :—The Senate, this day, adopted Senate concurrent resolution No. 35, suspending Joint Rule Number Fifteen.

A. W. BISHOP,
Assistant Secretary.

The House concurred in the Senate concurrent resolution above reported.

SENATE CHAMBER, }
April 4th, 1864. }

Mr. SPEAKER :—The Senate, this day, passed Senate bill No. 449, an Act to appropriate money for the relief of General John A. Sutter and his heirs.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 4th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Senate bill No. 450, an Act supplemental to an Act entitled an Act to create the County of Coso, to define its boundaries, and to provide for its organization, approved April fourth, eighteen hundred and sixty-four.

A. W. BISHOP,
Assistant Secretary.

SENATE CHAMBER,
April 4th, 1864. }

Mr. SPEAKER:—The Senate, this day, passed Assembly bill No. 407, an Act supplementary to an Act entitled an Act for the better protection of the agricultural interests in certain counties, and for the more effectual prevention of the trespassing of animals upon private property, passed March eleventh, eighteen hundred and sixty-four.

A. W. BISHOP,
Assistant Secretary.

Senate bill No. 450, above reported, read first and second times, rules suspended, read third time, and passed.

Senate bill No. 449, above reported, read first and second times, and considered in Committee of the Whole, (Mr. Badlam in the Chair.)

IN ASSEMBLY.

Reported without recommendation.

Mr. Boulware offered the following amendment: Amend by striking out "two hundred and fifty dollars," and inserting "one hundred and twenty-five dollars;" and strike out "five years," and insert "two."

Lost.

The rules were suspended, and the bill read third time.

On the passage, Messrs. Boulware, Martin, and Beaman demanded the ayes and noes, and the bill passed, by the following vote:

AYES—Messrs. Allen, Alley, Badlam, Beaman, Bowman, Brown of Tulare, Buffum, Campbell of El Dorado, Cherry, Clayton, Devoo, Dodson, Dow, Fraser, Gray, Hill, Hubbard, Hunt, Johnson, Kendrick, Kowen, Langdon, Littlefield, Lux, Martin, McColliam, Mebius, Parker, Perley, Perrin, Pratt, Sepulveda, Teare, Tukey, Walker of Alameda, Weston, Wilcox, Wilsey, Winchester, Whallon, Wood, and Mr. Speaker—42.

NOES—Messrs. Boulware, Brooks, Personette, Scott of Alameda, and Smith of Nevada—5.

Mr. Rule, from the Committee on Enrolment, made the following report:

Mr. SPEAKER:—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 426, an Act concerning District Court Reporters;

And this day delivered the same to the Governor for his approval.

RULE, for Committee.

MESSAGES FROM THE GOVERNOR.

The following messages were received from the Governor :

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 4th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 338, an Act concerning jurors in certain counties ;

Also, Assembly bill No. 466, an Act amendatory of and supplemental to an Act entitled an Act to regulate the settlement of the estates of deceased persons, passed May first, eighteen hundred and fifty-one ;

Also, Assembly bill No 426, an Act to amend an Act concerning District Court Reporters for the Fourth, Sixth, Seventh, Tenth, Twelfth, and Fifteenth Judicial Districts, approved May seventeenth, eighteen hundred and sixty-one.

FRED'K F. LOW,
Governor.

Mr. Winchester offered the following resolution :

Resolved, That the Assistant Enrolling Clerks be allowed two days extra pay, to be paid out of the Contingent Fund of the Assembly ; and the Controller is authorized to draw his warrant for the same.

Adopted.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
Sacramento, April 4th, 1864. }

To the Assembly of the State of California :

I have to inform your honorable body that I have approved Assembly bill No. 407, an Act supplementary to an Act entitled an Act for the better protection of the agricultural interests of certain counties, and for the more effectual prevention of the trespassing of animals upon private property, passed March eleventh, eighteen hundred and sixty-four.

FRED'K F. LOW,
Governor.

Mr. Wason, from the Committee on Enrolment, made the following report :

MR. SPEAKER :—The Committee on Enrolment have examined, and found correctly enrolled, Assembly bill No. 407, an Act supplementary to an Act entitled an Act for the better protection of the agricultural interests in certain counties, and for the more effectual prevention of the trespassing of animals upon private property, passed March eleventh, eighteen hundred and sixty-four ;

And this day delivered the same to the Governor, at nine o'clock and thirty minutes P. M., for his approval.

WASON, for Committee.

A message was received from the Senate, reporting that the Senate had adopted a concurrent resolution to adjourn at eleven o'clock.

Concurred in.

Mr. Buffum made the following report :

MR. SPEAKER :—The committee appointed to wait upon his excellency the Governor to ascertain if he had any further messages to deliver to

the Assembly have performed that duty, and have been instructed by him to signify to this body that he has no further communications to make.

BUFFUM,
BROWN of Amador,
CHERRY.

Mr. Cherry offered the following resolution :

Resolved, That the thanks of this House are due and are hereby tendered to Hon. W. H. Sears, for the faithful and impartial manner in which he has discharged the duties of Speaker of the House, and also to J. J. Owen, Speaker pro tem of the Assembly, during the fifteenth session.

Unanimously adopted.

At eleven o'clock the Speaker pronounced the following

VALEDICTORY REMARKS.

GENTLEMEN OF THE ASSEMBLY :—The time has arrived for this body to adjourn sine die. You have performed the duties assigned to you, and no doubt you will receive the commendation of your constituents when you return to your homes. You have during this session passed several important laws which are in keeping with the progress of the age. Among the most important is the one providing for the establishment of Free Schools in this State, from which spring greatness and prosperity, spreading over the land. Another important bill is the one by which you have protected the soldier in the field in his right of franchise. You have also passed resolutions indorsing the National Administration and questions of National importance, in bolder terms than any other legislative body in the Union. While you have been enacting these laws for your welfare and the good of posterity, here in a land of peace, your brothers in the field have been enforcing and re-establishing those made by our forefathers. Day by day and night by night during this session have those noble men carried forward the old flag we all love so dearly victoriously through the clouds of war, as the stars shine through the passing clouds at night. This is a dark and bloody ordeal through which our country is passing, but if Union men remain firm and united, she will come out like gold from the crucible, pure and refined. For one, I have never doubted the result of the contest. I believe there is latent and inherent patriotism in this people to crush out this unholy rebellion. The South has been plundered by treason, her fields laid waste, her cities and towns sacked and burned, her citizens murdered, but the responsibility for the crime rests upon the traitors who plotted this rebellion, and not upon the victims. Now, while we sadly deplore this state of things, and however heartily we may wish for the return of peace, we believe from the experience of the past years that there is but one way to obtain an honorable and speedy peace, and that is to conquer it. This Government has fostered an institution, since its foundation, which has been condemned by the civilized world, and which has been continually encroaching on the rights and liberties of the people. It has been the very bane of the Nation, and the experience of the past few years have demonstrated that the future prosperity and tranquillity of this republic demand that it shall be dashed into the vor-

tex of oblivion. Freedom is one of the immutable laws of the Almighty, as immutable as the law of gravitation. Its enforcement decreases the power of the oppressor, and increases the rights of the oppressed, and it is our duty to see that freedom shall march steadily on until it is fully established throughout the length and breadth of this land. Now I trust that when the members of this House return to their homes they will return with a determination to stand by the Union party of this State as one party, and present a solid phalanx to the common enemy. Let no individual disappointment poison your ear with discord, and let the success of no faction and no clique rest upon the destruction of the one Union party. But let the true love of country rise above jealousy and ambition, and lead you to maintain the Union party united until the deluge of war shall have swept the last armed traitor from our land. You all have a duty to perform in this crisis, and none can claim exemption from service in the cause in which we are engaged. It is the duty of every man and every woman who has a head to think and a tongue to speak, to use them in this struggle until the Government is once more restored to that tranquillity and prosperity which existed prior to the rebellion. And now I wish to return my sincere thanks to the members of this body, individually and collectively, for their good will, and for the kind manner in which they have treated me, as their presiding officer during this session. I also return my thanks, as well as the thanks of the Assembly, to our worthy and excellent Chaplain, for the patriotic, liberal, and bold prayers which he has offered in our behalf. I return thanks, also, to the Clerks, Pages, Porters, and all the attachés of the Assembly; and now, as the hour has arrived for adjournment, I declare this body adjourned sine die.

At eleven o'clock and fifteen minutes the Speaker declared the House adjourned sine die.